

Statuta
Diocesis Clevelandensis
in Synodo Diocesana, habitis
Annis Pri 1852, 1854, 1857, ¹⁸⁶³1868, 1872, 1882, 1889
Lata

Et, prout nunc prout

Edita

Illustrissima ^{ab} et Reverendissimo
Ricardo Gilmore
Episcopo Clevelandensi

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V

ACTA

SYNODI DIOECESANÆ CLEVELANDENSIS SEXTÆ, HABITÆ MENSE MAIO, A. D. 1882.

Per edictum, d. 11 Maii, A. D. 1882, ad clerum diœcesanum directum, Ill^{mus} ac Rev^{mus} Dominus Riccardus Gilmour, Episcopus Clevelandensis, omnes et singulos sacerdotes, tam sæculares quam regulares, qui in diœcesi sua curam animarum gerunt in Synodum convocavit.

SESSIO PRIMA.

Cujus Synodi prima sessio d. 23 ejusdem mensis Maii, in Seminarii diœcesani sacello habita est. Hora nona matutina, assistentibus Synodalibus, Pontifex Missam de Spiritu Sancto celebravit. Qua finita, Episcopus deposuit casulam, pluvialique indutus, cæremonias, in Pontificali Romano pro Synodo inchoanda præscriptas, rite servavit. Deinde Pontifex, post breven ab ipso habitam allocutionem de rebus in Synodo tractandis, et de animo quo res istæ tractandæ essent, decreta Concilii Tridentini, “de Residentia,” a Notario prælegi jussit. Hoc peracto, Secretarius recitavit nomina officialium Synodi, necnon eorum qui ad varias congregationes synodales constituendas, a Rev^{mo} Episcopo designati fuerunt.

Notarius subinde Professionem Fidei Pii P. IV, prout a Pio P. IX adauctam, elata voce recitavit, Synodalibus simul eamdem professionem emittentibus; qua absoluta, qui id nondum in aliqua Synodo præcedenti præstiterant, bini ad Episcopum accedentes et coram eo genuflexi, super exposita sacrosancta Evangelia jusjurandum singulatim his verbis protulerunt: *Ego idem N. N. spondeo, voveo ac juro. Sic me Deus adjuvet, et hæc sancta Dei Evangelia.*

Postea, Synodalibus nominatim a Secretario vocatis, secundæ sessioni indicta fuit hora 2^a P. M. ejusdem diei.

SESSIO SECUNDA.

Hora statuta Synodales iterum in Seminarii sacello convenerunt, precibusque rite peractis, Ordinarius schemata decretorum in Synodo perpendendorum a Notario prælegi mandavit. In quibus legendis tempus hujus sessionis, ad horam quintam jam protractæ, totum est consumptum.

VI

SESSIO TERTIA.

Hora nona matutina die 24 Maii, cæremoniis in initio sessionum servandis servatis, lectio schematum pridie intermissa, absoluta est. Postea Secretarius "Congregationis de opitulandis sacerdotibus valitudinariis" emendandas constitutiones "Ærarium Infirmorum" spectantes, Synodalibus proposuit. Quo peracto, schemata deliberandarum rerum appositis congregationibus tradita sunt eo fine ut singulæ congregationes deinceps de substratis materiis post brevem earumdem disquisitionem ad Synodum referrent. Quod ut commodius fieri posset, sessio proxima in diem crastinam dilata est.

SESSIO QUARTA.

Sessione more solito hora nona A. M. die 25 Maii inchoata, **Re-**
mus Episcopus synodales allocutus est de statu pecuniario diœcesis. Deinde singuli congregationum synodaliū secretarii suam de assignatis sibi negotiis relationem fecerunt quæ infra (pp. VIII, IX et X) exponetur.

SESSIO QUINTA.

In sessione ista quæ hora prima cum dimidia P. M. ejusdem diei initium habuit "Constitutiones ad ærarii pro sustentandis infirmis sacerdotibus administrationem spectantes" lectæ, discussæ, et suffragiis synodaliū comprobatæ fuerunt. Quo facto, Secretarius "Congregationis de statutis" schema statutorum legit prout Congregationi isti emendandum visum erat.

SESSIO SEXTA.

Die 26 Maii hora nona, synodalibus in sacello Seminarii denuo congregatis, sessio sexta ad Pontificalis normam inchoata est. Dein Secretarius "Congregationis de statutis diœcesanis" relegit schemata statutorum cum emendationibus ab Episcopo sancitis.

SESSIO SEPTIMA.

Hac in sessione ultima hora secunda P. M. ejusdem diei inchoata statuta omnia tam pro spiritualibus quam pro temporalibus rebus ordinandis, lata, assentientibus Synodalibus, ab Illustrissimo Episcopo approbata et promulgata sunt. Quo peracto catalogus Synodaliū iterum prælectus est, omnesque, benedictione Pontificali accepta, ad sua reversi sunt.

VII

OFFICIALS AND CONGREGATIONS OF THE SYNOD.

NOTARY AND PROMOTER.

Rev. N. A. Moes.

SECRETARIES.

Rev. G. F. Houck.

Rev. E. Hecht, D. D.

CONGREGATION FOR DIOCESAN STATUTES.

Very Rev. F. M. Boff, V. G., Pres. Rev. S. Bauer, Sec.

Rev. T. P. Thorpe. " N. A. Moes.

" E. M. O'Callaghan. " W. Kockerols, S. J.

" F. X. Grissmayer, C. P. P. S. " J. M. Puetz.

" W. McMahon.

CONGREGATION FOR WAYS AND MEANS.

Rev. T. P. Thorpe, Pres't. Rev. C. Evrard, Sec.

" F. Westerholt. " J. V. Conlan.

" A. Magenmann. " E. Mears.

" P. O'Brien. " A. I. Hoeffel.

" P. J. McGuire. " T. M. Mahony.

CONGREGATION FOR SCHOOLS.

Rev. J. P. Molony, Pres't. Rev. P. O'Brien, Sec.

" K. Schloesser, O. S. F. " E. Hannin.

" J. Kuhn. " C. Reichlin.

" E. J. Vattmann. " T. M. Mahony.

CONGREGATION FOR REFORM SCHOOL.

Rev. J. F. Gallagher, Pres't. Rev. R. A. Sidley, Sec.

" T. P. Thorpe, " J. L. Bihn.

" J. P. Molony. " A. Magenmann.

" T. M. Mahony. " F. Ankly.

CONGREGATION FOR INFIRM PRIESTS' FUND.

Rev. C. Evrard, Pres't.

Rev. S. Bauer, Sec.

" J. Quinn.

" F. Ankly.

VIII.

COMMISSION OF INVESTIGATION.

Rev. N. A. Moes, Pres't. Rev. S. Bauer, Sec.
" E. Hannin. " J. P. Molony.
" P. J. McGuire.

DIOCESAN BOARD OF EXAMINERS.

Rev. N. A. Moes. Rev. E. Hecht, D. D.
" P. F. Quigley, D. D. " S. Bauer.
" T. P. Thorpe. " M. B. Brown.
" B. Machuy, O. S. F. " J. B. Jung.

REPORT OF COMMITTEE ON WAYS AND MEANS.

After due deliberation your committee adopted the following resolutions:

I. A sum of \$3,500 shall be paid yearly, from the Diocesan Fund to the Rt. Rev. Bishop for his Cathedralicum.

II. A sum of \$500 shall be paid yearly from said fund for the expenses of the Diocesan Chancery, as printing, stationery, postage, &c.

III. The salary of the Chancellor is maintained at \$1200 per annum, he paying his own board.

IV. A sum of \$1200 shall be yearly applied for the payment of taxes, fuel, light, water supply, furniture and sundry repairs of the Episcopal Residence.

V. A sum of \$10,000 shall be yearly applied for the expenses and support of the Diocesan Seminary.

VI. In consideration of services rendered to the Diocese by Very Rev. F. M. Boff, as Vicar General, he shall receive from the Diocesan Fund \$500 per annum, payable quarterly, as long as he is unable to take charge of a congregation, said sum to be added to the pension paid him by the Infirm Priests' Fund, said pension of \$500 to begin April 1, 1882.

VII. In view of the intended visit to Rome by our Rt. Rev. Bishop, a sum of \$1000 shall be paid to him by the diocese before July 1, 1882. Every priest shall be notified at once by the Secretary of this Committee of the amount to be paid by his congregation. This is an extraordinary contribution, and is no part of the yearly assessment for the Diocesan Fund.

VIII. As the only debt of the diocese is \$31,500, for the building of the Episcopal Residence, it was resolved by your Committee that the surplus of the Diocesan Fund, after paying the above mentioned expenses, (annually amounting to \$16,900) shall be applied each year to pay the interest on said debt and reduce the latter gradually.

IX

IX. The diocesan assessment shall not be reduced to less than \$1.25 for each paying family before the diocesan debt of \$31,500, with interest, has been fully paid. This is a question of honor and justice for the whole diocese.

X. Your committee confidently appeals to the generosity of the priests of the diocese for pecuniary assistance in remodeling and raising the seminary chapel, and refitting the old part of the seminary proper. The estimated cost is from \$2000 to \$3000. After the many personal sacrifices made by our Rt. Rev. Bishop to keep the diocese from debt and to accumulate diocesan property, every priest should assume and promptly pay a share of the intended improvements, said personal contribution to be no less than \$10.00, payable before January 1st, 1883, and to be sent to the Diocesan Chancellor.

XI. The Committee presents respectful thanks to the Rt. Rev. Bishop for the gratifying results obtained by his successful management of the financial affairs of the diocese.

CHAS. EVRARD, Secretary.

Report Adopted.

REPORT OF COMMITTEE ON SCHOOLS.

The committee appointed by the Rt. Rev. Bishop to examine the question in relation to the Parochial Schools, adopted the following resolutions:

I. That a Diocesan School Board be established, to consist of thirteen members, including the Rt. Rev. Bishop.

II. That said Board be empowered to establish a uniform series of school books, and a uniform grade of studies in the Parochial Schools of the diocese.

III. That said Board be empowered to examine teachers, and give certificates of competency for the various grades of studies.

IV. That the diocese be divided into twelve Districts, and that all Priests having Parochial Schools constitute the District Committees, and that said committees elect a president, who will be, *ex-officio*, a member of the Diocesan School Board.

V. That it shall be the duty of the District Committee to examine the schools in their respective districts twice a year, and that, at least, three members of the District Board be present at the examinations.

VI. That it shall be the duty of the District Board to execute in their respective Districts all laws and regulations made by the Diocesan Board.

VII. That the District Examiners keep a record of examinations, and report the standing of each school in their respective Districts, semi-annually, to the Diocesan Board.

X

VIII. That the Diocesan and District Boards meet, semi-annually, at a place to be designated by the respective boards.

IX. That, where practicable, in cities containing two or more Parochial schools, we recommend that a Union High School be established.

X. That the Pastors of congregations represented in the Union High Schools, be a committee to govern those schools, and that said schools stand in the same relation to the Diocesan Board as Parochial Schools of minor grade.

XI. That the expense of establishing and supporting the Union High Schools be assessed on each Parish represented, in proportion to the total number of families in each congregation.

XII. That the number of children to be admitted to the High Schools, and the grade of studies to be adopted, be determined by the local Board.

XIII. That the number to be admitted from each Parish be determined by the amount paid by the different Parishes represented, and that any Parish exceeding its proportions be assessed *per capita* of such excess, on the basis of the general expenses.

XIV. Your committee learns with pleasure that a large number of the Parochial Schools of the Diocese are now free, and we recommend that, as far as practicable, entrance to all the schools be made free, and some other means be devised for their support.

Respectfully submitted,

PATRICK O'BRIEN, Secretary.

Report adopted, but action deferred.

REPORT OF COMMITTEE ON REFORM SCHOOL FOR BOYS IN THE DIOCESE OF CLEVELAND.

The object of Committee on Reform School, as explained by the Chairman of said Committee, was to take into consideration the advisability of establishing such an institution as a Reform School, or Protectors, in this diocese. After due deliberation, the Committee resolved as follows:

I. In our opinion it is one of the most benevolent, charitable and praiseworthy works that man can engage himself in, and hence we encourage the idea.

II. Should it prove acceptable to the Ordinary of the diocese to establish such a Protectors, we recommend that it be located somewhere convenient of access in the country, not in a city; the former being financially, physically and morally to the great advantage of the good work contemplated.

XI.

III. As to the ways and means, the committee were somewhat at sea, as they could not settle upon how the means could be furnished for so charitable a work. It was resolved by the committee to lay the matter before the Ordinary to suggest what mode, in his wisdom, could be used to reach the hearts of the kindly inclined.

R. A. SIDLEY, Secretary.

Report adopted, but action deferred.

ALPHABETICAL LIST OF THE REV. CLERGY PRESENT AT THE SYNOD.

SECULARS.

Very Rev. F. M. Boff, V. G.

REVERENDS.

Ankly, F.	Desmond, J. C.
Arnoldi, M.	Doerner, H.
Arnould, V.	Eilert, A.
Barry, P.	Evrard, C.
Bauer, S.	Eyler, J.
Becker, M.	Finucan, W. J.
Becker, P.	Franché, N. J.
Best, H. D.	Gallagher, J. F.
Bihn, J. L.	Galvin, J. L.
Blaser, J.	Gerardin, A.
Bowles, J. D.	Gibbons, W. J.
Braire, L.	Gloden, J. P.
Braschler, C.	Gocke, J. J.
Broun, J. B.	Griss, C.
Buerkel, J. B.	Halley, T. J.
Cahill, J. T.	Hannan, J.
Carroll, J. T.	Hannin, E.
Chevraux, C. V.	Harks, W. A.
Christophory, J.	Healy, M.
Conlan, J. V.	Hecht, E.
Conway, E. J.	Heidegger, J.
Cullen, J.	Heiland, J. B.
Dambach, A.	Heiland, L.
Danenholfer, P.	Henry, F. J.
Dechant, M.	Hoeffel, A. I.

XII

Houck, G. F.	O'Callagnan, E. M.
Hynek, A.	O'Connor, J.
Jung, J. B.	O'Leary, J.
Kaempker, H.	O'Neil, F. J.
Kikuem, H.	O'Reilly, J.
Kinkead, M. P.	Puetz, J. M.
Kirch, N.	Puetz, J. P.
Kleekamp, J. H.	Puetz, M.
Klute, J.	Quinn, J.
Kolopp, H.	Rebholz, S.
Kolopp, P.	Reichlin, C.
Koudelka, J. M.	Rieken, G. H.
Kuebler, J. F.	Romer, J.
Kuhn, J.	Rosenberg, J.
Lewandowski, V.	Rouchy, J.
McCarthy, T. P.	Rupert, F.
McGlone, J. B.	Sauvadet, A.
McGovern, F.	Scanlon, M. A.
McGuire, P. J.	Schaffeld, J. T.
McMahon, W.	Schmitz, N.
Magenhann, A.	Scullin, F.
Mahar, T. F.	Sheridan, J.
Mahony, T. M.	Sidley, A. R.
Manning, A. E.	Sidley, R. A.
Manning, W. J.	Sinner, F.
Martin, A.	Smyth, T.
Mears, E.	Sproll, J.
Mertes, A.	Thein, J.
Mertes, J. B.	Thorpe, T. P.
Metternich, F.	Tracy, J.
Mizer, J.	Treiber, C.
Moes, N. A.	Vattmann, E. J.
Molony, J. P.	Verlet, G. A.
Monahan, J.	Vigeaut, A.
Muehlenbeck, J. H.	Vogt, J. G.
Mueller, M.	Westerholt, F.
Murphy, E. J.	Zarezcny, V.
Murphy, M.	Zinsmayer, D.
O'Brien, P.	

XIII.

REGULARS.

Abbrederis, R., C. PP. S.	Koerling, Ign., S. J.
Andrescheck, A., O. S. F.	Nigsch, F., C. PP. S.
Brueggemann, E., Q. S. F.	Rist, P., C. PP. S.
Grissmayer, F. X., C. PP. S.	Schloesser, K., O. S. F.
Janietz, W., O. S. F.	Schneider, T., O. S. F.
Kockerols, W., S. J.	Zoeller, M., S. J.

REV. FATHERS EXCUSED FROM ATTENDING THE SYNOD.

Begel, J.	Michenfelder, J. A.
Brown, M. B.	Moes, N.
Carroll, J. P.	Mueller, W.
Daudet, J.	Nunan, F. X.
Falk, S.	O'Mara, P. H.
Lindesmith, E. J.	Quigley, P. F.
Litterst, Th.	Seltzer, C.

G. F. HOUCK, }
E. HECHT, D. D., } Secretaries.

RICCARDUS GILMOUR,

DEI ET APOSTOLICÆ SEDIS GRATIA

EPISCOPUS CLEVELANDENSIS:

Ad maiorem Dei gloriam et animarum Nobis creditarum salutem promovendam, auditis Vicarii Generalis, Consilii Episcopalis, sacerdotumque Nostrorum sentiis, quæ sequuntur salubriter statuenda decernimus, et per præsentis promulgari et ab omnibus et singulis Nostræ diœcesis clericis ac laicis fideliter servari volumus et jubemus.

STATUTA DICECESANA.

TITULUS I.

DE PROMULGATIONE DECRETORUM
CONCILIORUM PLENARIORUM BALTIMORENSIUM
NECNON
PROVINCIALIUM CININNATENSIIUM.

1. Decreta Concilii Plenarii Baltimorensis II, a Sede Apostolica recognita, quæ et Conciliorum, superioribus temporibus Baltimoræ habitorum, decreta comprehendunt, solemniter promulgamus: et ea omnia in Nostra diœcesi Clevelandensi vim legis habere declaramus, et ab omnibus, ad quos spectant, fideliter religioseque observari volumus. *Com. Balt
habet vim
legis*
2. Quæ leges quum coli non possint, nisi cognitæ sint, sacerdotes Nostros in Domino graviter adhortamur, ut diligenti cura eas legant et discant, et si res occasionem dederit alicujus decreti exsequendi, attentis animis consulant, ne quis de mala inscientia reus legem violet. Secundum ipsius Concilii decretum hic statuimus, ut "in Scholis Nostris Juris Canonici et Theologiæ quasi norma adhibeantur, quam in docendo professores explicant et sequantur, alumnique omnes diligenter ac accurate addiscant." * *Eius decr
ab omnibus
addiscenda
Norma
pro quac
+ Theol
V*
3. Decreta Concilii Baltimorensis Plenari I. sicuti quatuor Conciliorum Provincialium Cinnatensium, a S. Sede Apostolica recognita, quæ in Nostra quoque Diœcesi vim legis habent, denuo promulgata declaramus. *Com. Balt
et 4 Com. Ci
habet vim
legis*
4. Statuta Synodorum diœcesanarum Clevelandensium, in hoc libello in ordinem redacta, mutationibus servatis, ab omnibus hujus diœcesis sacerdotibus, qui curam animarum habent, discenda et observanda esse jubemus. *Statuta
diœcesan
discenda
observanda*

*Cfr. Conc. Pl. Balt. II, Decr. 534.

TITULUS II.

DE OFFICIALIBUS DIOECESANIS.

5. Vicarius Generalis a Nobis ~~designatus~~, præter jura ordinaria quæ ipsi vi officii competunt, habet quoque facultates quasdam ~~extraordinarias~~ a Nobis specialiter concessas, ~~quotiescumque~~ Nos ultra diem a Nostra civitate Episcopali ~~abesse~~ debemus.

6. Cancellarii Nostri officium erit asservare: ^{a)} titulos bonorum ecclesiasticorum (*deeds*); ^{b)} instrumenta quotannis facienda circa conditionem, tum spiritualem tum temporalem, cujusvis parochiæ; ^{c)} omnia scripta quæ respiciunt spiritualem diœcesis administrationem. Ipsius quoque est, sub Nostra directione, gerere curam ærarii diœcesani (*Dio-cesan Fund*), codicesque ad id pertinentes tenere.

7. Consultores quosdam ex sacerdotibus, prudencia et doctrina præstantioribus, elegimus qui Nos in gravissimo Episcopalis officii onere ferendo adjuvent, et cum quibus statutis temporibus conferamus de gravioribus in ordinaria administratione diœcesis Nostræ negotiis.

8. Mandato S. C. de Propaganda Fide. d. 25 Junii, 1878, edito morem gerentes, quinque Nostræ diœcesis presbyteros deputavimus qui constituunt Commissionem Investigationis, cujus munus erit causas criminales disciplinaresque cleri rite, juxta formam a S. Congregatione præscriptam, examinare, ac ita Ordinario in iisdem causis decernendis præbere auxilium.

9. Collegium Examinatorum constituimus cujus erit bis in anno examinibus interesse alumnorum Seminarii diœcesani, necnon examini quotannis in posterum per primum septennium subeundo a junioribus sacerdotibus, vel etiam ab aliis sacerdotibus qui forte ad hoc speciatim vocentur.

TITULUS III.

DE PASTORUM OFFICIIS ET JURIBUS.

10. Cuivis ecclesiæ, sive in urbe, sivi ruri certum quemdam districtum, parœciæ instar, adscripsimus, juribus quasi-parochialibus pastori tributis, ita ut sacramenta baptismi, viatici, extremæ unctionis, matrimonii, Communioneque, sive Paschalem, sive Primam, p̄stor jus habeat administrandi eis, qui intra parœciæ fines habitant. Prohibemus igitur sub gravi ne quis sacerdos, sive sæcularis sive regularis, extra limites parochiæ vel districtus sibi commissi exeat ad munus pastorale exercendum, sine Nostra vel pastoris loci licentia, nisi pastor loci ipse absens sit, vel alia gravis necessitatis causa occurrat; item prohibemus ne quis sacerdos extra casum urgentis necessitatis fideles aliarum parœciarum ad ullum sacramentum, præter Eucharistiam vel Pœnitentiam, sine proprii pastoris ipsorum consensu vel speciali Nostra venia admittat.

11. Si quis sacerdos aliquod munus ecclesiasticum, sive periculo urgente, sive pastore proprio absente, sive alia de causa præstiterit fidelibus, qui ejus parœciæ non sunt, oblationes occasione muneris exerciti acceptæ titulo justitiæ et sub gravi reddendæ sunt pastori cujus erat ministerium illud præstare, nisi ipse sua sponte omni jure honorarii cedere vult.

12. Sacerdotes, quibus cura complurium missionum tradita est, maximam diligentiam semper adhibebunt, ut ecclesias statuto tempore visitent, et si fieri potest, die dominica, ut viri a laboribus et negotiis vacantes liberi Deo servire possint. Nunquam nisi gravissima de causa tempus usu statutum vel antea annuntiatum prætermittent, nec sine justa causa dies, quibus missa certis in ecclesiis celebrari solet, mutabunt. Sacrosanctum Missæ sacrificium non tantum diebus dominicis, sed quotidie statuto et opportuno tempore offerent fidelesque ad Missam in quantum fieri potest quotidie audiendam sæpe invitabunt; neque curare omittent, ut

pueri et puellæ scholas frequentantes ante initium scholarum Missæ intersint.

13. Vehementer adhortamur sacerdotes Nostræ diœcesis, ut pueros in doctrinis fidei instruant et spiritu religionis imbuant. Pastores ipsi pueros et puellas dominicis diebus in ecclesia, et feriis saltem bis in hebdomada in schola, rudimenta fidei edoceant, neve omittent, omni quo poterunt ardore et amore vere paterno eos familiari sermone doctrinis Christianis instituere. Omnes parvulos, qui septimum annum attigerunt, quater in anno, hebdomadibus Quatuor Temporum, congregabunt, ut per aliquot dies fidei rudimentis eosdem erudiant, adeo ut instructi et dispositi ad confessionem accedant; quando vero ad annos discretionis pervenerint, ad sacram Communionem rite suscipiendam eos præparabunt.¹⁾

14. Jubemus ne quis Sacerdos, curam animarum in diœcesi gerens, ultra quatuor* dies a congregatione sua, vel districtu suo absit, etiamsi nulla dies dominica vel festum de præcepto interveniat. Prohibemus insuper ne vicarius per totam diem, et multo minus ad horam noctis intempestivam, a domo parochiali absit, nisi cum consensu pastoris.²⁾

15. Quotiescumque pastor a parochia vel districtu suo ultra diem unum abfuturus est, curet ut vicinus sacerdos in casu necessitatis vices ejus gerat.

16. Pastor qui ultra mensem recreationis causa a missione sibi commissâ abfuit, nullo jure salarium pro tempore absentiae pascere potest, sed salarium integrum pro isto tempore, una cum juribus stolæ ad eum pertinent qui ipsius vices gessit.

17. Inter præcipua pastorum munera instructio puerorum in rudimentis Fidei numeranda est. Hoc ergo officium pastor ipse impleat, parentesque moneat de obligatione strictissima qua tenentur liberos tempore statuto ad catechesim mittere.

1) Con. Pl. Balt. II, 115, et Con. Prov. Cinc. III, 3.

2) Con. Pl. Balt. II, 114.

* Bp. Schrems in Diocesan Conference held Sept 1922 states that for absence of more than 3 days permission of Bishop is required.

18. Imperamus ut pastores scholas parochiales sibi commissas bis saltem per hebdomadam visitent.

19. Si quis pastor negligat vel recuset scholam parochialem habere ubi haberi possit, vel scholam ejusmodi parum curet, causa sufficiens est propter quam a parochia sibi commissâ amoveatur.

20. Quum ad pietatem in parochia fovendam sacra Missionum exercitia quamplurimum conferant, expedit ut pastor singulis saltem quinquenniis beneficia Missionis, ab idoneis sacerdotibus dirigendæ, ovibus sibi commissis procuret.*

21. Pastores hujus diœcesis sacerdotes extraneos, sive ad spiritualia missionis exercitia parochianis danda, sive ad alia præstanda officia, vocare ne præsumant nisi obtenta prius Nostra licentia. Si arcessendi presbyteri sunt Regulares, in petitione ad Nos dirigenda indicetur familia religiosa ad quam pertinent; si vero sunt sæculares, nomina ipsorum necnon diœcesis ex qua veniunt referantur.

TITULUS IV.

DE MUNERIBUS RELATIVIS PASTORUM ET VICARIORUM.

22. In ecclesiis quibus plures sacerdotes adscripti sunt, unus a Nobis designatus pastoris munere fungetur. Ipse Nobis de administratione rerum tam spiritualium quam temporalium parochiæ rationem reddere tenetur. Labor tamen ministerii sacri æque inter omnes secundum judicium pastoris dividatur.

23. Pastoris est; a) statuere tempus quo singula officia sive in ecclesia sive in schola parochiali fieri debeant; b) definire quid et quomodo docendum sit in ecclesia et in schola; c) ordinare quidquid ad bannorum aliasque proclamationes in ecclesia faciendas spectat; d) curare ut

*Con. Pl. Balt. II, 473 seq.

Rubricæ omniaque statuta Ecclesiæ ac Diocesis rite serventur;^{e)} administrare temporalia juxta statuta diocesana.

24. Vicarii munus est:^{a)} pastorem adjuvare in ferendo quolibet onere, sive spirituali sive temporali, officii parochialis, viz., in administrandis Sacramentis; in instruendis pueris; in quærendis ac revocandis peccatoribus ad meliorem frugem; in visitandis ægrotis; in sepeliendis mortuis; in collectis excipiendis, aliisve operibus ad temporalia spectantibus;^{b)} pastoris auctoritatem tueri;^{c)} obedientiam ac unanimitem in parochia fovere;^{d)} denique cum pastore corde et animo consentire.

25. Vicarius, in rebus quæ ad parochiæ administrationem pertinent, pastoris mandatis obtemperare tenetur, nisi clare constat pastorem jubere aliquid quod sit legi, sive divinæ, sive ecclesiasticæ, sive diocesane, contrarium.

26. Pastor et vicarius in eadem domo habitent et communem mensam habeant. Omnes igitur donationes quæ nomine jura stolæ dantur, i. e., dona quæ occasione baptismi, matrimonii, Missarum cantatarum vel fundatarum, aliarumque functionum ecclesiasticarum a fidelibus quocumque titulo (etiam personali ministrantis) offeruntur, sunt congerendæ, ad "victuales expensas" persolvendas. Quidquid superest, expensis domesticis solutis, per partes æquales pastorem inter et vicarium vel vicarios dividatur. Si vero jura stolæ non sufficiant ad "mensæ" onera ferenda pastor et vicarius quod deest æquali mensura supplebunt.*)

27. Vetamus pastorem et vicarium inter se convenire ut per vices diebus vel hebdomadibus alternis, visitandis ægrotis, aliisve muneribus parochialibus dent operam. In quantum fieri potest pastor et vicarius residentiam servant, ita ut quotiescumque ipsorum ministerium personale requiratur, adsint. Nunquam autem, ubi duo vel plures sacerdotes eidem parochiæ inserviunt, omnibus simul abesse licebit. Unus saltem in domo parochiali semper adsit, vel

Vide app., p. 20.

si ad breve tempus exire tenetur res ita disponantur ut, urgente causa, facile arcessi possit.

28. Si rationabilis adest causa pastor potest indicare argumentum concionis a vicario habendæ. Hoc autem nonnisi raro fieri debet, præsertim si agitur de consuetis instructionibus dominicalibus.

29. Quidquid pertinet ad dispensationes casuum matrimonialium, vel ad res temporales parochiæ a vicario ad pastorem deferatur.

TITULUS V.

DE SACRAMENTIS ET EORUM ADMINISTRATIONE.

I. DE SACRAMENTIS IN GENERE.

30. Rituale Baltimoreense ejusque appendicem probamus; quam ob rem omnes sacerdotes Nostræ diocesis in administratione omnium sacramentorum normam ejus sequuntur, neque sub ullo prætextu ab ejus forma vel lingua discedent, omniaque alia munera secundum normam a S. Romana Ecclesia servatam et in cæremoniali Baltimoreensi descriptam peragent.*

31. "In omni sacramentorum administratione, sive in ecclesia, sive in domibus privatis, sacerdos in quantum fieri potest veste talari et superpelliceo sit indutus, et desuper stola ejus coloris quem sacramenti ritus exposcit."—"Cura-bit etiam ut sacra supellex, vestes, ornamenta, linteamina, et vasa ministerii integra, nitidaque sint et munda." *Rit Rom.*

32. "Ut ab ecclesiastico ordine (*Benedictus XIV.*) "omnis vel minima avaritiæ suspicio aut simoniacæ labis species, in iis præsertim quæ ad sacramentorum administrationem spectant, penitus amoveatur," caveant sub gravi sacerdotes ne sub ullo prætextu quidquam exigant vel paciscantur occasione cujuscumque administrandi sacramenti.

*Con. Pl. Balt. II, 210.

33. In qualibet hujus diocesis ecclesia habeatur *sacrum*, seu locus in quem ablutiones corporalium, vasorum sacrorum, ac digitorum si tetigerunt Sanctissimum vel sacra Olea, necnon aqua baptismalis post infusionem, juxta Rubricas infundantur.

34. Apud unamquamque ecclesiam, sive parochialem, sive filialem, habeantur libri juxta Ritualis Romani præscriptum, in quibus, secundum formas a Concilio Plenario Baltimorensi II, commendatas,¹⁾ apposite consignentur:^{a)} baptismata;^{b)} nomina primam communionem recipientium;^{c)} confirmationes;^{d)} matrimonia;^{e)} sepulturæ. Insuper enixe commendamus ut juxta normam a Rituali Romano exhibitam in singulis ecclesiis habeatur liber cui titulus "Status Animarum."

II. DE BAPTISMO.

35. Cum necessitas hujus sacramenti pro omnibus maxima sit, infantes recens nati quam primum ad Baptismum recipiendum afferantur. "Detestabilem *** parentum Catholicorum socordiam, qui parvulorum ætatem tot casibus obnoxiam non statim baptismatis sacramento munientem curant, volumus ut pastores sæpius reprehendant."²⁾

36. Nomina in Baptismo imponenda semper sint Christiana. Si vero parentibus instantibus nomen profanum, ceteroquin honestum, imponatur, semper superaddendum est priore loco nomen alicujus Sancti.

37. Si parentes diversæ linguæ diversas ecclesias frequentant, æque licebit infantes eorum ad unam vel alteram ecclesiam deferri ut baptizentur.

38. Ex audientia Pii P. IX, felicitis memoriæ, relata Nobis a Pro-secretario S. Congregationis de Propaganda Fide, habita d. 26 Martii, 1876, benigne indultum est ut sacerdotes diocesis Clevelandensis in baptismo adultorum, *juxta de causa*, illum baptizandi ritum adhibeant qui in baptizandis parvulis servatur.

1) Con. Pl., Balt. II, 222, 223.

2) Ibidem 225.

39. Mandamus ut decreta Concilii Balt. Plen. II, 231, et 253, circa patrinos adhibendos in Baptismo et Confirmatione fideliter observentur; tum quoad numerum, tum quoad dotes patrinatorum. Expedit ut pastores sæpe fideles edoceant obligationes patrinatorum, cognationem spiritualem ex suscepto patrini munere provenientem, necnon dotes requisitas in eis qui eliguntur ad patrini officium implendum. Excludantur infideles, hæretici, membra societatum secretarum, et infames, etiam Catholici qui Communionem Paschalem per plures annos non receperunt.

40. Baptismum extra ecclesiam in urbibus, pagis, vel aliis locis ubi est ecclesia, et sacerdos habitat, conferre non licet, nisi periculum adest ne infans moriatur antequam ad ecclesiam apportari possit. Si ob mortis periculum baptismus extra ecclesiam conferendus est, cæremoniæ omnes, quæ baptismum præcedunt, omittentur; postea tamen, cum infans convaluerit, in ecclesia supplebuntur: cæremoniæ vero quæ baptismum sequuntur, si tempus suppetit, et chrisma præsto est, statim servabuntur. Aliter nunquam cæremonias a baptismo separare licebit. Qui ruri, aut in pagis, ubi nulla est ecclesia, degunt, infantes ad ecclesiam propinquiorem, vel stationem, in qua Sacrum fieri solet, baptizandos apportabunt. Quod si ob rigorem tempestatis, viæ difficultatem, vel alias causas graves difficile erit, et parentes trium millium iter ab ecclesia distant, rem prudenti et pio judicio sacerdotum relinquimus ut infantes domi, cum omnibus cæremoniis baptizent, hortantes tamen, ut quotiescumque fieri poterit, in ecclesia baptismum conferant.*

41. Fons baptismalis ne sit in sacristia sed *in ecclesia ipsa parochiali*, claveque obseretur. Aqua vero in eo nitida et pura conservanda est... *Rit. Rom. 4, 6, 30.*

42. Si post diligens examen de facto vel validitate baptismi non constat:^{a)} hæretici convertendi;^{b)} par-

*Con. Pl. Balt. II, 236, seq.

vuli expositi; °) infantis a laico baptizati, baptismus *sub conditione* est conferendus.

43. Benedictio mulieris post partum nunquam est conferenda *extra* ecclesiam. Denegetur: °) matri prolis illegitimæ; °) matri cujus infans baptizatus est apud hæreticos; °) mulieri quæ scandalum quod dedit contrahendo matrimonium coram præcone acatholico, aut iudice civili, publice non reparavit.

III. DE CONFIRMATIONE.

44. Confirmationis sacramentum *ad altare* conferetur, duobus adstantibus patrinis pro pueris, duabus matrinis pro puellis.*

45. Confirmatio et Prima puerorum Communio, in quantum fieri potest, non sunt habendæ eodem die, licet commendandum sit ut die quo confirmantur Sacram Communionem quoque recipiant confirmandi.

46. Pastores diligenter curare debent ut omnes fideles, tam pueri quam adulti, ipsorum curæ concrediti, præparentur ad sacramentum Confirmationis digne suscipiendum, illudque tempore opportuno recipiant, simulque, si nondum nomen christianum habeant, nomen alicujus Sancti, in *schedula* cum cognomine (*family name*) inscribendum, assumant.

IV. DE SANCTISSIMA EUCHARISTIA.

I. Asservatio et Renovatio Sanctissimi Sacramenti.

47. Mandamus ut Rubricæ circa asservationem Sanctissimi in pyxide decenti, albo velo coöperta, et in tabernaculo intus exornato, *strictè* servantur. Particulæ semel in hebdomade, veteribus consumptis et ciborio diligenter purificato, renoventur. Hostiæ consecrandæ sint recentes.

48. "Sanctissimum asservandum est uno tantum in loco cujuscumque ecclesiæ in qua custodiri potest, solet aut debet." (*S. C. Episc. 13 Oct. 1620.*) In ecclesiis rusticis

*Con. Pl. Balt. II, 258.

This says that each cathedral should have one sponsor of the poor, but that there should be two more sponsors for the poor & two

apud quas nullus sacerdos residet S. Eucharistiam asservare non licet; proinde consumenda est a sacerdote antequam abeat. Idem servandum erit a sacerdote unico apud ecclesiam residente, qui ultra octiduum abfuturus est.

49. Tabernaculum *nunquam* sit versatile (*revolving*), et jubemus ut quamprimum ubicumque fieri potest, tabernaculum in capsula ferrea, quam *Safe* vocant, construatur. Clavis tabernaculi a *sacerdote ipso* in loco tuto custodiat. In tabernaculo nihil præter SS. Sacramentum asservetur. Sacra Olea recondantur in alio *loco decenti*. Præter crucem cum imagine Crucifixi nihil tabernaculo superimponendum est.

50. *Coram* tabernaculo bene clauso, in quo SS. Eucharistiæ sacramentum conservatur, die noctue colluceat lampas in qua oleum *ex olivis* comburatur. Si autem tabernaculum ab omni S. Specie vacuum est, apertum relinquendum est et lampas statim exstinguenda. ¹⁾

51. Omnino prohibemus ne oleum quod dicatur *Petroleum* vel *Kerosene* in lampade coram Sanctissimo adhibeatur, nisi forte tempore hiemis quando olea vegetabilia nimio frigore congelant. Item usum *Gas* pro oleo prohibemus.

II. Sacra Communio.

52. Pastores iterum atque sæpius fideles exhortentur ad Communionem frequenter recipiendam, sintque, tum ipsi, tum ipsorum vicarii, semper faciles ac prompti ad Sacram Eucharistiam omnibus digne petentibus distribuendam. Memores sint etiam præscripti Ritualis Romani, juxta quod ægrotis parochialibus, etiamsi Eucharistiam extra tempus præscriptum sumpserunt, Communio Paschalis nihilominus debito tempore deferenda et administranda est. ²⁾

53. Rubricæ Ritualis strictè servantur in distributione Sacra Communions, sive intra sive extra Missam. S. Rituum Congregatio, d. 27 Junii, 1868, statuit "posse

¹⁾De Herdt. T. 3, 181.

²⁾Rit. Rom. De Com. Pasch.

etiam in paramentis nigris ministrari Communionem immediate post Missam defunctorum; data autem rationabili causa etiam immediate ante, vel infra, eamdem Missam; in istis tamen casibus omittendam esse benedictionem." Quando S. Communio extra Missam distribuitur stola "debet esse coloris Officio illius diei convenientis." S. R. C.

54. Pastores ipsi sedulo curent pueros et puellas ad Primam Communionem præparare, adhibitis in hunc finem studio et instructione speciali, necnon exercitiis spiritualibus. Districte etiam prohibemus ne pueri, et præsertim puellæ, accedant ad Primam Communionem nisi vestitu modesto, posthabito omni ornatu vano quo eorum animi a Cælesti Convivio avertantur.

55. In Prima Communione prohibemus ne communicandi candelas accensas manibus gerant.

III. Sacrum Viaticum.

56. Sacerdotes summa veneratione SS. Eucharistiæ sacramentum prosequantur. Ad ægrotum reficiendum SS. Viaticum deferentes reverenter se gerant, et ab omni sermone vano et indecoro absterneant. Memores sint strictæ obligationis quæ presbyteris injungitur semper Sacram Hostiam *super pectus* deferendi.—*Lit. Encycl. S. C. de Prop. Fide. 25 Febr. 1859.*

Cum Sanctissimum Sacramentum e tabernaculo desumunt stola et superpelliceo semper induti sint. Duæ candelæ in altari accendantur et in altaris mensa corporale extendatur.

57. Sacerdotes, infirmis, Sacram Eucharistiam ministrantes, superpelliceo et stola albi coloris vesteque talari, ubicunque fieri possit, induti erunt.

58. Curet sacerdos ut omnia in domo ægrotantis Viatico reficiendi, rite præparata sint. Hostiam Sacram, si quæ supersit, sacerdos ab ægrotantis domo rediens ne in domo parochiali asservet, sed statim ad ecclesiam deferat ac in ciborio reponat.

IV. De Pœnitentia. — cf. aff. J. 19*

59. Ne sacrum Pœnitentiæ tribunal ansam det pravis suspicionibus, pastor habeat in ecclesia, *loco patenti et conspicuo*, sedem confessionalem, in qua, superpelliceo et stola violacea indutus, confessiones fidelium excipiat.¹⁾ Confessionale ponendum est *extra* Sanctuarium, in ipsa ecclesia navi, non autem in angulis aut parvis sacellis, neque in sacristia, vel locis secretis. Sub pœna suspensionis, ferendæ sententiæ, imperamus ne mulieres vel puellæ in sacristia vel cubiculo ad confessionem admittantur, nisi sint vel ægrotæ, vel surdastræ vel ætate provectæ; insuper sub pœna nullitatis absolutionis prohibemus ne mulierum confessiones extra casum gravis necessitatis excipiantur sine crate pœnitentem inter et confessarium posita. Si quando in missionibus sacrum Sacrificium in domo privata extra ecclesiam celebrari oporteat, locus ubi confessiones audiantur, patens et publicus esse debet, et crates in quantum fieri potest, adhibeantur. Imperamus etiam ne nova ecclesia in usum fidelium benedicatur, nisi confessionale in ea, *loco patenti et conspicuo*, erectum sit.

60. Pastores singulis Sabbatis et vigiliis festorum, hora competente et statuta ad confessionale se conferant ut ibi a fidelibus parati inveniantur ad confessiones excipiendas. Si vero quidam inter parochianos, vel propter distantiam locorum, vel propter alias rationes tunc ad confessiones accedere nequeant, hortamur ut ipsis die ipsa Dominica aut festiva occasio confitendi præbeatur.²⁾ Si aliis temporibus ad confessiones audiendas vocentur, promptos et faciles se præbeant.—*Rit. Rom.*

61. Meminerint confessarii se strictissime obstringi ad sigillum sacramentale servandum, ideoque caute absterneant ne in colloquiis directe vel indirecte de confessionibus loquantur.

62. Ut quis sacerdotum confessiones monialium audiat specialis necessaria est approbatio.

1) Con. Pl. Balt. II, 293 et. seq.

2) Ibidem, 291.

63. Quanquam parochiani, qui recusant congruam partem ad sumptus ecclesiæ suæ parochialis perferendos contribuere, absolvi nequeunt, nemini tamen deneganda est absolutio qui quocumque titulo, vel pro se, vel pro familia, *quatuor scutata* per annum ad ecclesiæ parochialis sumptus persolverit, etiamsi admodum dives sit.

64. Gravissimi muneris conscientia cogimur omnibus et singulis pastoribus animarum denuo in mentem revocare constans officium quo sub periculo suarum animarum obligantur puerorum educationi assidue invigilare. In re tanti momenti parentes iterum atque iterum admoneant quam terribilem rationem ante divinum tribunal sint reddituri, si forte sua incuria aut nimia indulgentia liberos suos falsis imbui doctrinis et a salutis tramite abduci sinant. Jam vero nemini ignorare licet in quam grave fidei morumque discrimen Catholici adducantur juvenes scholas quæ vocantur *publicas* frequentantes. Nitantur igitur, quacumque possint ope atque opera sacerdotes, sive pastoris sive confessarii munere fungentes, arcere pueros et puellas a scholarum publicarum contagione. Quod ut efficacius præstetur, omnes et singuli sacerdotes, quæ sequuntur, præ oculis semper habeant oportet:

I. Absolutio deneganda est parentibus qui liberos instituendos, tradunt scholis publicis in quibus cogantur uti protestantica versione Bibliorum, vel sectarum cantica, aut preces recitare.

II. Generatim absolvi nequeunt parentes qui liberos mittunt in scholas publicas, in quibus vel ob magistros, vel ob libros, vel ob condiscipulos fides aut mores eorum periculo proximo exponantur. Scholas autem publicas apud nos *communiter* ob aliquam ex tribus dictis causis proximum constituere periculum indubium est.

III. Etiamsi in casu particulari certo constet, hanc vel illam scholam publicam non esse proxime periculosam, parentes liberos ejusmodi scholæ instituendos tradentes iis in locis et adjunctis in quibus eos scholæ alicui Catholice

committere possunt, nequeunt absolvi *nisi alia ratione Catholice filiorum institutioni provideant*, adeo quidem ut vel per parentes ipsos, vel per alios idoneos in doctrina Christiana sufficienter instruantur. Generatim unica illa instructio quæ semel in hebdomade in scholis Dominicalibus, vel a pastore in ecclesia traditur, non videtur sufficiens.

IV. Absolvi non possunt parentes qui sine causa proportionate gravi liberos scholæ cuidam publicæ, licet non proxime periculosæ, committunt iis in adjunctis in quibus illud sine gravi scandalo fieri nequit.

V. Sunt quidem interdum talia rerum adjuncta ut parentes Catholici prolem suam scholis publicis tuta conscientia committere possint. Ut autem huic exceptioni a regula generali detur locus, tres adsint necesse est conditiones: ^{a)} Oportet ad sic agendum parentes sufficientem habeant causam. Sufficientes rationes potissimum sunt: si nulla præsto sit schola Catholica; nimia distantia a schola Catholica; viæ asperæ; infirma pueri valetudo; absentia scholæ Catholice altioris gradus pro pueris qui curriculum ordinarium in schola parochiali propria jam absolverunt. ^{b)} Necesse est ut periculum ex proximo remotum reddi queat. "Est ergo imprimis videndum utrumne in schola, de qua adeunda quæritur, perversionis periculum sit ejusmodi quod fieri remotum plane nequeat: velut quoties ibi aut docentur quædam, aut aguntur [qualia habes sub I.] Catholice doctrinæ bonisve moribus contraria, quæque citra animæ detrimentum neque audiri possunt, nedum peragi. Enim vero tale periculum, ut per se patet, omnino vitandum est quocumque damno temporali etiam vitæ." (Instructio S. C. de P. Fide de scholis publicis, data d. 30 Junii, 1875. *) ^{c)} Requiritur ut periculum, necessariis adhibitis cautionibus, ex proximo *revera* remotum reddatur.

"Debet porro juvenus" (prosequitur citata Instr., *) "ut committi scholis publicis in conscientia possit, necessariam Christianam institutionem et educationem saltem extra

*Vide appendicem hujus libelli, pp. 5, 7.

scholæ tempus rite ac diligenter accipere. Quare pastores et missionarii, memores eorum, quæ providentissime hac de re Concilium Baltimorese Pl. II.¹⁾ constituit, catechesibus diligenter dent operam, iisque explicandis præcipue incumbant veritatibus fidei ac morum, quæ magis ab incredulis et heterodoxis impetuntur; totque periculis expositam juventutem impensa cura tam frequenti usu Sacramento- rum, quam pietate in Beatam Virginem studeant communire et ad religionem firmiter tenendam etiam atque etiam excitent. Ipsi vero parentes, quive eorum loco sunt, liberis suis sollicitè invigilent, ac vel ipsi per se, vel, si minus idonei ipsi sint, per alios, de lectionibus auditis eos interrogent, libros iisdem traditos recognoscant, et si quid noxium ibiprehenderint, antidota præbeant, eosque a familiaritate et consortio condiscipulorum a quibus fidei vel morum periculum imminere possit, seu quorum corrupti mores fuerint, omnino arceant atque prohibeant.”²⁾

VI. Quandoquidem, in casibus hanc materiam spectantibus, confessarii, qui non sunt ipsorum pœnitentium pastores, fere semper carent cognitione rerum et adjunctorum quæ sufficiat ad recte dijudicandum, jubemus confessarios, ejusmodi casibus occurrentibus, ordinariè pœnitentibus injungere ut proprium pastorem consulant ipsiusque stent iudicio; ad quod si se paratos profitentur absolvendi erunt.

VII. Quæ supra statuuntur, servata proportionè etiam accommodanda sunt ad pueros qui sponte scholas publicas frequentent, vel parentes importune urgeant ut sibi eas adeundi veniam faciant.

VIII. Ad matrem quod attinet, si patre cogente pueri scholas publicas adeant, quod ipsa impedire nequeat, non deneganda est ei absolutio. Studeat tamen ipsa pro viribus pravam scholæ vim oppugnare et puerorum Catholice institutioni prospicere. Item absolutio impertienda est pueris alioquin dispositis qui a parentibus vel tutoribus ad scholas publicas frequentandas coguntur.

¹⁾Con. Pl. Balt. II, 435-439.

²⁾Instr. cit.; Con. Pl. Balt. II, 435 et seq.; Konings, De Sch. Publ.

V. De Extrema Unctione et Cura Infirmorum.

65. Extrema Unctio, in quantum fieri potest, sub gravi administrari debet quando periculose ægotantes adhuc mentis compotes sunt.—*Catech. Rom. P. II., c. 6, n. 9.*

Conferatur quoque pueris ægrotis qui Primam Communionem nondum receperunt, si aliter sunt peccandi capaces.

66. Ægroti hortandi sunt ut statim ac morbus medici iudicio speciem periculi præ se fert Extremam Unctionem sibi administrari postulent.

67. Juxta præscriptum et mentem Ritualis Romani, Sacerdotes sedulo infirmos et agonizantes visitent, cum illis orent actusque contritionis eliciant, ad iteratas confessiones, si opus sit, inducant, et pluries etiam, post brevem reconciliationem, dent eis absolutionem.

68. Sacerdotes data occasione ægrotos hortentur ut res suas temporales rite disponant. Ipsi tamen Sacerdotes, nisi in casu necessitatis, testamentum ne conficiant. Ad hoc vocetur vir legis peritus.

69. In articulo mortis omnibus rite dispositis, etiam pueris peccati capacibus, impertienda est Benedictio Apostolica cum Indulgentia Plenaria.—*S. C. Indulg. 2 Feb., 1841, et 12 Martii, 1855.*

VI. De Matrimonio.

70. Bis in singulis annis, præcipue tempore Adventus et Quadragesimæ, pastores de sacramento Matrimonii et de omnibus ad illud spectantibus instructiones publice in ecclesia ad populum habeant.

71. Meminerint pastores se ratione officii teneri ad conandum pro viribus ut Sacramentum Matrimonii, tum valide, tum licite ac digne suscipiatur. Quando igitur de Matrimonio in sua parochia contrahendo admoniti erunt, imprimis inquisitionem inquirent utrum ullum impedimentum, sive dirimens, sive impediens, obstet; quod non est omit-

tendum etiamsi proclamationes rite factæ sunt. Insuper memores moniti Ritualis Romani "uterque sciat rudimenta fidei, cum ea deinde filios suos docere debeant," inquirent utrum sponsi sint sufficienter instructi in religione Christiana, et si deprehenderint unum vel utrumque ignorare ea quæ scienda sunt necessitate, sive medii, sive præcepti, instruent eos, in quantum fieri poterit, in doctrina Christiana antequam matrimonium celebretur.

72. In matrimoniis ineundis, si sponsus et sponsa diversæ sunt parochiæ, matrimonium in ecclesia parochiali *sponsæ* celebrandum est. Cum licentia tamen pastoris sponsæ *scripto* concessa, nupturientes sive coram pastore sponsi, sive coram alio sacerdote approbato matrimonium licite inire possunt.

73. Priusquam matrimonium contrahatur, secundum decretum Concilii Tridentini, nomina desponsatorum tribus continuis diebus Dominicis vel festivis intra Missarum solemnias publice in ecclesia parochiali denuntianda sunt. Verum spectatis rerum adjunctis indulgemus ut, data rationabili causa, pastores super *una* bannorum proclamatione dispensent. Ad dispensandum vero super duabus vel tribus proclamationibus requiritur licentia a Nobis *scripto* obtenta.* Si tamen sponsi degant in loco ubi Missa solummodo bis in mense vel rarius celebretur, (e. g. in ecclesia filiali), vel in loco ubi nulla est ecclesia (*station*) super duabus bannorum proclamationibus dispensari potest; casus tamen quilibet postea referendus est ad Cancellariam Nostram.*

74. Si sponsi ex diversis sunt parochiis, proclamationes bannorum in *utraque ecclesia* faciendæ sunt; de quibus rite factis pastori, coram quo nuptiæ celebrandæ sunt, scriptum testimonium ab altero pastore tradendum est. Si vero vel uterque, vel unus sponsorum, præter verum domicilium etiam in alio loco quasi-domicilium habet, neque hæc loca nimis distant, in utroque loco nuptiæ denuntiabuntur, ita tamen ut in loco priore denuntiationes omitti possint, si in secundo loco plusquam sex menses proxime ante tempus matrimonii vixerit. Domicilium vero parentum semper præferendum

Vide p. 19, App. Stat. Dioec.

est. Si ob aliquam causam publicationes hoc modo fieri non possunt, per testes duos et juramento, præsertim si alienigenæ sint, probare debent se esse liberos ab omni vinculo matrimonii ac sponsalium.

75. Quum denuntiationes matrimoniorum ad eum finem instituantur, ut impedimenta detegantur, fideles admonendi sunt de gravi obligatione qua tenentur pastori opportuno tempore referre impedimenta quorum notitiam habent.

76. In nuptiali benedictione danda, vel deneganda, agendum est juxta axioma: "benedicta non benedicatur; non benedicta benedicatur."

77. Matrimonium cum sit indissolubile, ita ut, postquam consummatum sit, nulla auctoritate humana solvi possit, eum vel eam qui, conjugæ superstitæ, licet divortio civili obtento, novum conjugium inire tentaverit, *ipso facto excommunicatum* esse declaramus.*

78. Si quis ligamine prioris matrimonii vinctus ad secundas nuptias transire velit sub prætextu, prius conjugium ob cultus disparitatem, vel aliud impedimentum, esse nullum, rem ad Nostrum iudicium deferri volumus, quia causæ matrimoniales ad Episcopos pertinent. Sacerdos, sive sæcularis sive regularis, qui Nobis inconsultis tales novum matrimonium inire permittat, *ipso facto ab officio suspensus est*.

79. Cum sancta Mater Ecclesia fideles suos cum acatholicis nullo modo in sacris communicare velit, interdiciamus, ne quis catholicus in Nostra diœcesi, aut cum catholico aut cum hæretico, coram iudice civili, vel præcone ullius sectæ, matrimonium contrahere præsumat. Si quis sub prætextu coram *præcone* cujuscumque sectæ vel nuptias inierit, vel inire tentaverit, *ipso facto excommunicatione* Nobis reservata obstrictus erit.

80. Quicumque coram iudice civili, vel præcone ullius sectæ, matrimonium contrahere ausus erit, vel inire tentaverit, denuntiandus est in ecclesia priusquam in foro interno

*Conc. Plen. Balt. II, 327.

absolvatur. Ad absolvendum autem in casu matrimonii coram *præcone* initi specialis facultas a Nobis impetranda est.

81. Confessarius, si quem ad sacrum confessionis tribunal accedentem absolvere debet, qui coram *præcone* hæretico matrimonium inierit, et ideo vinculo excommunicationis innodatus est, venia a Nobis prius impetrata, in absolutione ea formula utetur, quæ in Rituali Romano habetur eo loco qui inscribitur: "De absolutione ab excommunicatione in foro exteriori." Quod si fieri non potest, permittimus ut confessarius utatur illa formula, quæ habetur in Rituali Baltimorensi in loco, cui titulus: "Modus excipiendi professionem fidei catholicæ a neo-conversis," incipiendo a "Kyrie Eleison."

82. Cum matrimonium sit magnum sacramentum, fideles qui hoc sacro vinculo uniri volunt, antequam contrahant, peccata sua diligenter confiteri et ad SS. Eucharistiæ Sacramentum accedere debent.¹⁾ Præterea jubemus, matrimonia nullo alio tempore vel loco celebrari, nisi in ecclesia et *intra missam*. Ad nuptias extra Missam celebrandas, Nostra venia *scripta* necessaria est. Matrimonia autem mixta, etiamsi cum Ordinarii licentia, non celebranda sunt in ecclesia vel sacristia, sed in domo parochiali sine ulla cæremonia, coram sacerdote veste talari non induto. Sacerdos assistens ista formula, quæ in appendice Ritualis Baltimorensis habetur, utatur.²⁾

83. Ut fideles a mixtis matrimoniis omnino deterreantur, hortamur animarum pastores, ut singulis annis tempore Adventus vel Quadragesimæ, gravi sermone pericula et mala, quæ ex his matrimoniis mixtis sæpissime oriuntur, fidelibus exponant.³⁾ Eodem vel alio tempore opportuno pastor de his statutis quæ ad fideles pertinent, et de impedimentis, quæ S. Mater Ecclesia sapientissime, ut Matrimonium sanctum sancte tractetur, constituit, populum fidelem certiores faciet.

1) Con. Trid. Sess. XXIV, de ref. matr. Cap., I.

2) Con. Pl. Balt. II, 334. 3) Ibidem, 544.

84. Quælibet petitio ad obtinendas, sive dispensationes in causis matrimonialibus, *sive alias quascunque venias*, dirigatur ad Cancellariam Nostram. Hujusmodi literarum involucro, una cum nomine Rev. Cancellarii, inscribatur terminus "*official*."¹⁾

85. In exarandis petitionibus pro obtinendis dispensationibus sequentia notanda sunt: a) litteræ nihil quod sit casui extraneum contineant; b) dentur, si nihil obstat, nomina oratorum in casu,²⁾ exponantur *rationes canonice* sub pœna nullitatis;³⁾ d) si agatur de matrimonio mixto, speciatim declarandum est utrum pars acatholica sit baptizata necne.³⁾

86. Pro matrimoniis mixtis, priusquam dispensatio concedi possit, necesse est ut pars acatholica *scripto* acceptaverit conditiones ab Ecclesia præscriptas, easque fideliter servandas promiserit;²⁾ cujus instrumenti duplex exemplar coram uno saltem teste subscribatur, unum nempe cum petitione ad Cancellarium transmittendum, alterum cum dispensatione obtenta in archivio parochiæ asservandum. [*Vide formam, in appendice, p. 17**].

87. Pars Catholica moneatur se teneri ad curandum: a) pro viribus ut pars acatholica ad veram fidem convertatur; b) ad educandum suos utriusque sexus liberos in Catholica religione; c) ad nuptias *unice* coram sacerdote ineundas.⁴⁾

88. Ad præcavenda incommoda quæ oriri solent si dispensationes oretenus postulentur, dispensatio nulla concedetur nisi petitio *scripto* facta erit. Dispensationes nunquam per telegraphiam petendæ sunt.

TITULUS VI.

DE CULTU DIVINO.

I. De Sacris Cæremoniis et Officiis.

89. Volumus ut in omnibus cultus divini officiis cæremoniæ peragantur juxta "*Cæremoniale Baltimorense*," a Concilio Balt. I., et Gregorio XVI. approbatum; ha-

1) Vide p. 16*, App. Stat. Dioec. 2) S. Cong. de Prop. Fide, die 9 Maii, 1877.
3) Vide p. 16*, App. Stat. Dioec. 4) Con. Pl. Balt. II, 334, et seq.

beaturque in singulis ecclesiis liber cui titulus "*Sacristan's Manual*," ut omnia quæ res sacras respiciunt rite observari queant. Vestes etiam sacræ ad cultum necessariae, prout a Rubricis præscribitur, præsto sint.

90. Provideant pastores ut custodes (*sacristans*) instruantur in iis quæ sui sunt muneris, ita ut quæ Cultum et Officium Divinum spectant summa cum decentia et debita consideratione exequantur. Ad pastores etiam pertinet pueros, qui Cultui Divino, præsertim Missæ sacrificio inseruiunt, per se, vel per alium rei liturgicæ peritum, rite instruere ut sua quisque officia ac functiones, tam privatas quam solemnes, veste talari et superpelliceo indutus, pie, devote, et ad fidelium ædificationem obire possit.

91. Sine gravi ratione, et *prævio nuntio*, horas diei quibus officia divina peragenda sunt, mutare non licet. Singula officia publica ipso temporis momento statuto, nec citius nec tardius, incipiantur, ad evitandum non solum tædium sed etiam scandalum fidelium.

92. Candelæ, in Cultu adhibendæ, sint *cereæ*, quarum duæ in celebratione Missæ privatae, et sex saltem intra Missam cantatam, vel in Expositione Sanctissimi accendantur. Si a Rubricis plures adhibere permittitur candelas ardentes, reliquæ, licet quoque cereas esse deceat, ex alia materia confecta esse possunt.—Singulis annis *nova* adhibenda est candela Paschalis cerea.

93. Sæpius relegant sacerdotes ea quæ circa res sacras observanda sunt. Inter autores qui de his tractant valde commendamus *De Herdt*, "*Sacræ Liturgiæ Praxis*." Quod spectat ad calices vel ciboria statuimus ejusmodi vasa sacra in usum sacrum minime adhibenda esse nisi *saltem cuppa sit argentea, et intus aurata*.

II. De Sacrificio Missæ.

94. Rubricæ SS. Missæ Sacrificii, ut in Missali Romano expositæ, a sacerdotibus stricte et adamussim ser-

ventur. Caveant sacerdotes ne Missam aut nimis protrahant aut nimis properent. Juxta regulam generalem nec longior esse debet dimidia hora nec brevior tertia horæ parte.¹⁾

95. *Sub gravi* imperamus ne *celebrans* intra Missam ad colligendas fidelium oblationes ab altari recedat.

96. Curent sacerdotes ut hostiæ in Sacrificio adhibendæ e pura farina triticea conficiantur. Ad vinum quod spectat, præstat vinum *nativum* comparare a personis fide dignis.²⁾

97. Juxta Rubricas Missalis *singulis* diebus Dominicis, ante Missam parochialem, sive cantatam sive privatam, benedici debet aqua adhibenda in præscripta populi asper-sione.

98. Missa semper, vel integre cantetur, vel integre dicatur; non licet celebranti permittere ut cantus *Gloria* vel ullius partis *Symboli Nicæni*, vel *Sanctus*, vel *Agnus Dei* omittantur, nec ipse debet *Gloria* aut *Credo* intonare ac deinde, cantu nondum completo, Missam proseguere.³⁾

99. Quando, *cum venia Ordinarii*, missa in domibus privatis celebratur, domus sit decens. Nunquam seligatur domus privata in qua sit *taberna*.

100. Jubemus ut quisque sacerdos libellum habeat in quo notentur accepta Missarum stipendia et eorundem per-solutio sive per seipsum sive per alios facta.⁴⁾

101. Honorarium pro Missa privata celebranda unum tantum et nunquam minus quam unum scutatum (\$1.00) exigi licebit. Pro Missa vero cantanda, inclusis etiam exequiis, nunquam ultra quinque scutata (\$5.00) exigere licebit, in quibus includitur honorarium organistæ, cantorum et æditui (*sacristan*).⁵⁾

1) Con. Pl. Balt. II, 363. 2) Ibidem, 372, 373. 3) S. R. C. d., 17 Dec. 1695.
4) Ibidem, 377:5. 5) Ibidem, 369.

102. Ex decreto 368, Con. Plen. Balt. II, pastores animarum in Nostra diœcesi, in qua parœciæ canonicæ non sunt erectæ, neque ex justitia neque ex charitate tenentur, ut Missam pro populo sibi commissio diebus dominicis et festis applicent. Cum autem S. Congr. de Prop. Fide id ex charitate *decere* dicat, omnes pastores in Domino hortamur, ut Sacrificium immaculatum pro populo diebus dominicis et festis applicare pergant. Præterea omnibus in memoriam revocamus decretum S. Conc. Congr. diei 25 Sept., 1858, quo sacerdos cum licentia Ordinarii binas eodem die celebrans Missas, prohibetur honorarium pro ambabus Missis accipere. Si quis honorarium pro altera Missa accipere velit, prius per literas a Nobis veniam petat.

103. Concilium Tridentinum singulos in suis diœcesibus Episcopos interdicare jubet, ne cui vago vel ignoto sacerdote licentia Missam celebrandi concedatur.* Idcirco omnes sacerdotes, qui in Nostra diœcesi ecclesias regunt vel curam animarum habent, monemus, ne cui presbytero extraneo vel ignoto Missam celebrare, vel Verbum Dei prædicare, sine speciali Nostra vel Vicarii Nostri Generalis venia, *scripto* concessa, permittant. Si copia Nos adeundi desit indulgemus, ut sacerdotes extranei iter facientes, *semel* Missam celebrent, dummodo sint noti vel exhibeant literas testimoniales ex quibus appareat eos in propria diœcesi facultatibus gaudere. Hanc tamen veniam in nullum sacerdotem ex hac Nostra diœcesi dimissum transferri volumus, qui expressa Nostra licentia opus habebit ad sacrum aliquod munus intra eam peragendum.

104. Si sacerdos extraneus adveniat animo excipiendi collectas, *ne semel quidem* ad Missam celebrandam admittendus est nisi exhibeat literas a Nobis editas, ex quibus appareat facultatem petendi eleemosynas ipsi fuisse concessam.

105. Si quis vel ante mortem, vel per testamentum, Missam anniversariam fundare velit, pastor, antequam ac-

*Con. Trid. Sess. XXII, Decr. De Observandis, &c., et Con. Pl. Balt. II, 118.

ceptat foundationem, de re et conditionibus ad Nos scribet ut *approbatio Nostra obtineatur*. *Conditiones vero pro foundationibus Missarum rite instituendis, posthac erunt sequentes*: Ad Missam *cantatam* et anniversariam, per *decem* annos celebrandam, solvenda sunt centum scutata (\$100). Ad Missam vero *privatam* et anniversariam, per *quindecim* annos offerendam, danda erunt quinquaginta scutata, (\$50.)—Si vero ecclesia vel ædificium sacrum pro cujus erectione vel conservatione pecunia pro foundationibus erogata est, vel destruatur, vel in usum profanum convertatur, Missæ fundatæ ipso facto non amplius erunt offerendæ.—Foundatione quacunque a Nobis probata, contractus ecclesiam inter et benefactorem initus in apposito libro inscribendus erit, necnon in tabula, *loco ecclesiæ patenti* exponenda. Singulis annis nomen sacerdotis Missam fundatam celebrantis, et dies qua celebravit, inscribenda sunt in isto fundationum libro, qui tempore visitationis parochialis examini Nostro erit subjiciendus. [*Pro forma contractus, de quo supra, vide p. 20* in app.*]*

106. Vi facultatis extraordinariæ, a Sancta Sede Nobis concessæ, in qualibet ecclesia diœcesis Nostræ altare majus privilegiatum declaramus, dummodo in eadem ecclesia aliud altare privilegiatum præsto ne sit.

107. In qualibet ecclesia apud quam residet pastor, fieri debet, et quidem ab ipso sacerdote Missam celebrante, benedictio candelarum in festo Purificationis B. M. V.; palmarum in Dominica Palmarum; fontis baptismalis tum Sabbato Sancto tum sabbato ante Pentecosten. Item absolutio pro defunctis post Missam cantatam ab ipso celebrante peragenda est.

108. In nocte Nativitatis Domini Salvatoris Missam celebrari prohibemus ante horam quintam A. M., nisi quis specialem licentiam a Nobis obtinuerit.

*Con. Pl. Balt. II, 370.

109. Enixe hortamur ut in singulis hujus diœcesis ecclesiis pro prædecessore Nostro Missa anniversaria *de Requiem* celebretur.

110. Fœdus illud pium, quod inter sacerdotes sæculares hujus diœcesis initum est, ut unusquisque, pro anima *cujusvis* sacerdotis sæcularis defuncti ex Nostra diœcesi, quantocius post ejusdem obitum tres Missas celebret, ratum habemus ac denuo in Domino commendamus.

III. De Cultu SS. Eucharistiæ.

111. Ad augendam devotionem erga SS. Eucharistiæ Sacramentum indulgemus, ut singulis diebus dominicis et festis de præcepto, vel festis etiam primæ et secundæ classis non de præcepto, post Missam, vel post Vesperas, SS. Sacramentum exponi, et solemnis benedictio ritu consueto et in Cæremoniali Baltimorensi descripto, dari possit in omnibus ecclesiis et in sacellis monasteriorum et communitatum religiosarum semel tantum eodem die. Per octavam vero festi Corporis Christi singulis diebus, tam in Missa solemni, quam in Vesperis, Expositio fieri et Benedictio dari potest. Præterea permittimus, ut benedictio cum SS. Sacramento singulis diebus Missionum detur, et bis in hebdomade tempore Quadragesimali illis diebus, quibus exercitia consueta pietatis fiunt; insuper festo SS. Cordis Jesu, festis patronalibus cujusvis ecclesiæ, et in supplicationibus, quæ mense Maio in honorem Beatissimæ Virginis Mariæ a pio fidelium populo publice institui solent, quoties cum ea solemnitate qua decet fieri potest, et hoc usque ad horam nonant pomeridianam, si sine gravi incommodo ante dari non potest. Privilegia, quæ hac in re Ordinibus et Societatibus religiosis a S. Sede Apostolica benigne data sunt, salva servantur, dummodo Nobis certis documentis probentur. Præter illas quas supra diximus occasiones, vel alias privilegiis certis constitutas, Sacramentum exponere et benedictionem dare non licebit, sine speciali Nostra venia.*

*Con. Pl. Balt. II, 374 et seq.

112. Pium illud religionis exercitium, quod Adoratio Quadraginta Horarum appellatur, in omnibus ecclesiis Nostræ diœcesis eo ipso tempore, quod litteris constituimus, ritu a S. Sede probato et in Cæremoniali Baltimorensi publicato, omni qua potest solemnitate celebrabitur. Tempus mutare, vel Adorationem omittere, nisi a Nobis concedatur, non licebit.¹⁾

113. "Decet, SS. Sacramentum in altari majori exponi; dignitas enim SS. Sacramenti exigit, ut loco principali, ad quem omnium oculi primum diriguntur, exponatur; nisi ex causa rationabili in aliquo laterali altari sit exponendum, modo absit quodlibet irreverentiæ periculum, uti haberi potest ad altare prope januam ecclesiæ."²⁾

IV. De Prædicatione Verbi Divini.

114. Ad prædicationem Verbi Divini quod spectat sacerdotes sequentia S. Con. Tridentini monita perpendant: "curam animarum habentes . . . per se vel per alios idoneos, si legitime impediti fuerint, diebus saltem Dominicis et festis solemnibus, plebes sibi commissas, pro sua et earum capacitate, pascant salutaribus verbis." Tempore vero Quadragesimæ præter consuetas instructiones dominicales una saltem concio die feriali per hebdomadem ad populum habeatur.³⁾

115. In doctrina Christiana tradenda servandus est ordo talis ut apta successione singula Ecclesiæ dogmata præceptaque morum fidelibus explanentur, et solidis argumentis confirmentur. Hoc commode fieri poterit juxta methodum Catechismi Romani cujus quisque sacerdos præ manibus habeat exemplar.

116. Forma concionum sit dignitate et gravitate plena. Vitetur omnis inanis verborum pompa; sermo sit brevis quidem quoad tempus, uber autem quoad doctrinam.⁴⁾

1) Con. Pl. Balt. II, 374 et seq. 3) Ibidem, 142. 4) Ibidem, 144.

2) De Herdt, Ed. V., T. II. n. 25, IV.

117. Pastores caveant ne in ecclesia aliquem nominatim reprehendant, aut insidiosa verborum circuitione ita notent vel designent ut a multis nosci facile possit: neve ad privatam injuriam ulciscendam sacro loco et tempore abuti audeant.¹⁾

118. Caveant pastores ne ante, vel inter, vel post concionem sæpius verba de pecuniis faciant.

V. De Exequiis et Sepultura.

119. In sepultura mortuorum pastores animarum accurate cæremonias et ritus, ut in Rituali Baltimorensi præscripti sunt, sequi jubemus; neve quis ullam cæremoniam vel ritum omittere vel mutare, aut novam quandam cæremoniam addere audeat. Corpus, nisi a domo ad ecclesiam a parocho adducitur, in aditu ecclesiæ excipitur, ubi, aspersione facta, psalmus "De Profundis" dicitur, cum psalmo "Miserere." Dum "Subvenite, Sancti Dei" dicitur, vel, quod melius erit, canitur, corpus in ecclesiam portatur, quo facto Missa celebratur. Post Missam dicitur oratio "Non Intres;" tum "Libera Me," cum "Kyrie Eleison," et sequentia dicuntur, vel, quod præferendum erit, cantantur. Incensum semper adhibendum est post primum "Kyrie Eleison," et etiam post antiphonam "In Paradisum."

120. Exequiæ adultorum hora matutina et quidem cum Missa celebrentur. In exequiis pauperum, qui honorarium Missæ solvere nequeunt, legatur Missa privata de Requiem, stipendio ex redditibus ecclesiæ soluto. Si inter exequias habeatur sermo, sit brevis et ita compositus ut vivos ad vitam Christianam agendam moveat, potius quam mortuos laudibus extollat. Ejusmodi sermo fiat Missa finita, ante absolutionem, non autem inter Missam post Evangelium. (Cærem. Episc.)

121. In sepeliendis infantibus omnia secundum Rituale diligentissime observabuntur, nec unquam incensatio corporis omittitur; nec, quod severa reprehensione dignum foret,

1) Con. Pl. Balt. II, 140.

quisquam omnes cæremonias aut ritus negligere sub ullo prætextu audebit. Si fieri potest, imprimis in ecclesiis rusticis, pastor corpus ad cæmeterium comitabitur et omnia peraget, sicut in Rituali præscribuntur.

122. Si celebrans et clerus funus usque ad cæmeterium non comitantur, ut ob cæmeterii distantiam, præcipue in civitatibus, fieri solet, tunc tota cæremonia completur in ecclesia. Tunc vero dum funus ad portam ecclesiæ defertur, cantatur antiphona *In Paradisum*, et deposito feretro apud portam ibidem reliqua fieri et recitari possunt quæ ad sepulchrum præscripta sunt. Si tamen omnia absolvantur in medio ecclesiæ seu in loco, in quo feretrum inter exequias depositum est, ibidem etiam cantando antiphonam *In Paradisum*, iste usus continuari potest. [Vide Martinucci et De Herdt.]

123. Pro exequiis, sive parvulorum sive adultorum, nihil sub quocumque titulo, præter stipendium pro Missa stabilitum, directe vel indirecte exigatur. [Idem servetur pro benedictione mulieris post partum.] cf. Rit. Rom. II, 19

124. Cum S. Sedes Apostolica omnes Societates Secretas, quia Ecclesiæ et civilis societatis saluti insidiantur et summum detrimentum afferunt, sæpius damnaverit, et certas Societates, quæ Socii Singulares, (*Odd Fellows*,) Liberi Muratores, Feniani, Filii Temperantiæ, vel alio nomine vocantur, illis damnationibus comprehendendi declaraverit, hortamur sacerdotes Nostræ diœcesis, ut sodales omnium societatum secretarum a sacramentis excludant et sepulturam ecclesiasticam eis denegent, nisi prius ex societate secreta discesserint. Si quis moribundus ejusmodi societati renunciaverit, et in sinum Ecclesiæ receptus erit, ut cum cæremoniis omnibus sepultura celebretur, permittimus; si vero ejusdem societatis secretæ ad quam defunctus olim pertinuit sodales suis ornati insignibus in funus venire præsumant, ullos ritus ecclesiasticos a parocho observari severe vetamus.

"In dubio vero an quis sit a sepultura ecclesiastica arcendus, consulendus erit Ordinarius, cum id commode fieri poterit; secus autem in partes lenitatis et misericordiæ propendeat iudicium."*

125. Ad inculcandam fidelibus devotionem erga animas in purgatorio detentas, dirigimus ut singulis diebus dominicis, post Missam parochialem, recitetur in lingua vernacula psalmus "De Profundis," cum oratione "Fidelium Deus, &c."

126. Hortamur quoque ut ante Missam parochialem fideles in ecclesia congregati tertiam partem Rosarii recitent. Post Missam vero, una cum præscriptis orationibus pro defunctis dicatur "Angelus Domini" in lingua vernacula.

127. Summus Pontifex, Leo PP. XIII, ut ex Indulto infra apparet, privilegium circa Missas *de Requiem*, olim jam concessum, denuo confirmavit:

Ex Audientia SSmi. diei 18, Augusti 1878.

SSmus Dominus Noster Leo, Divina Providentia PP. XIII, referente infrascripto S. Congregationis de Propaganda fide Secretario, attentis precibus R. P. D. Episcopi Clevelandensis, benigne indulsit ut in Ecclesiis diocesis prædictæ, celebrari possint Missæ *de Requiem bis in hebdomada*, etiam concurrente ritu duplicis minoris, *exceptis* festis primæ et secundæ classis, necnon vigiliis, feriis et octavis privilegiatis.

Datum Romæ ex Aed. S. C., die et anno ut supra.

Gratis quocumque titulo.

Pro R. P. D., Secretario,

Arch. Rinaldini Subst.

Indultum autem istud intelligendum est ad normam Responsi sequentis, a S. C. Rituum, d. 17, Januarii 1749 dati:

Rector et alii Presbyteri Eccl. Parochialis S. Bartholomæi, loci Villa Vicosæ, Diocesis Elborensis, S. R. C. humillime supplicarunt quatenus ad satisfaciendum peculiari eorum devotioni, quam habent erga animas in purgatorio existentes, eisdem facultatem celebrandi in præfata ecclesia parochiali Missam cantatam *de Requiem* singulis Feriis secundis benigne impertiri dignaretur.

Et S. eadem Congr.: Gratiam petitam oratoribus, exceptis tamen Festis primæ et secundæ classis, duplicis majoris, Festis de præcepto, et octavis aliisque diebus privilegiatis, concedendam esse censuit, *non omissa tamen Missa de Festo duplici occurrente*. Die 17^o Januarii 1749.

*Con. Pl. Balt. II, 389 seq.; Konings Th. Mor. 1668.

VI. De Confraternitatibus et Piis Societatibus.

128. Ut erectio confraternitatis cujuscumque fiat *canonice*, duplex documentum conficiatur, unum in sacristia suspendendum, alterum ad Cancellariam Nostram transmittendum, ex quo pateat servanda fuisse servata.

129. Pastores sedulo sodales confraternitatum instruant circa finem ad quem institutæ sunt, necnon observantiam regularum. Eos præsertim indulgentiarum naturam, modum tempusque eas lucrandi edoceant.

130. Pergratum Nobis est si sacerdotes omnes non solum Societatem Propagandæ Fidei, quæ in Nostra diocesi jam existit, omni ardore foveant sed etiam Societatem Sanctæ Infantiae in scholas introducant quia et pietatem alunt et Ecclesiæ propagationem adjuvant. Præterea commendamus ut fideles utriusque sexus et cujusque ætatis in alias confraternitates pias coadunentur, inter quas, ut ab Ecclesia approbatas, præ ceteris foveri debent Confraternitates SS. Sacramenti; SS. Cordis Jesu; SS. Nominis Jesu (ad præcavendas blasphemias); Purissimi Cordis Mariæ; S. Rosarii et sacrorum Scapularium B. M. V.; Sodalitates Marianæ pro juvenibus utriusque sexus; Bonæ Mortis; Archisodalitium B. M. V., ad solandas animas in purgatorio detentas.*

131. In singulis parochiis, in quantum fieri potest, instituat¹⁴⁵⁸ur societas "Doctrinæ Christianæ," complectens utrumque sexum, cujus membra sui sexus juventutem, quæ alias propter circumstantias necessaria instructione careret, catechismum docebunt. Attamen instructiones istiusmodi sub pastoris directione tradendæ sunt, et semper *ab ipso pastore* in ecclesia vel alio loco commodo confirmandæ.

*Con. Pl. Balt. II, 477, et seq.

TITULUS VII.

DE VITA ET HONESTATE CLERICORUM.

132. Omnes sacerdotes seculares hujus diœcesis exercitiis spiritualibus una vacare tenentur tempore et loco ab Ordinario statutis. [S. Congr. de P. Fide, 20 Sept., 1878; Benedictus XIV., Lit. Ap. "Ubi Primum," Art. 3.]

133. "Oportet Clericos" aiunt Patres Tridentini "vestes proprio congruentes ordini semper deferre." Renovantes igitur Decretum 148, Con. Plen. Balt. II. præscribimus ut omnes hujus diœcesis sacerdotes, domi et in ecclesia, veste talari, quæ Clerico propria est, semper utantur; cum vero foras prodeunt, breviori veste indui licet, quæ tamen nigri coloris sit et infra genua decidat. Hortamur insuper omnes Sacerdotes ut Romanum gerant collare quod Cleri Catholici insigne est per totum fere orbem. Sacerdotibus vero pro hac diœcesi in posterum ordinandis usum collaris Romani præscribimus.¹⁾

Hoc statutum ab omnibus etiam alumnis ecclesiasticis theologiæ studio vacantibus servari volumus, sive intra sive extra seminarium versentur.

134. Clerici comam studiose aut laicorum more ne nutrant. Vetamus autem omnino ne quis hujus diœcesis sacerdos barbam alat nisi veniam *scripto* ab Ordinario obtinuerit.²⁾

135. Clericis Diœcesanis, nisi sunt in itinere, extra limites propriæ parochiæ civitatisque in qua habitant, et nisi necessitas excusat, sub pœna suspensionis ferendæ sententiæ, cauponarum, tabernarum aut popinarum aditum et usum, bibendi causa, severissime interdiciamus.³⁾

136. Prohibemus ne adeant theatra quævis, aut spectacula musica quæ vulgo dicuntur "*operas*"⁴⁾; hortamurque ne symphonii profanis (*concerts*) in aulis publicis intersint.

1) Conc. Trid. Sess. XIV. De Ref. Cap. 6, et Con. Pl. Balt. II, 148.

2) Conc. Pl. Balt. II, 151. 3) Ibidem, 162. 4) Ibidem, 153.

137. Sacerdotes Nostræ diœcesis omni qua possumus auctoritate adhortamur, ut ancillas eligant, quarum ætas et bona fama omnem malam suspicionem amoveant.

Sub gravi imperamus ne quis sacerdos ancillam habeat quæ annum *tricesimum* non expleverit, nisi sit ipsius soror vel amita. Severissime etiam interdiciamus, ne *magistræ*, quæ in scholis pueros vel puellas docent, in domo sacerdotis habitent vel refectioes sumant.¹⁾

138. Juniores clerici semel in anno per septennium* a sua ad presbyteratus ordinem promotione, quorumvis sacræ theologiæ tractatum a Nobis vel ab iis qui Nostras vices hac in re gerunt, proponendorum, coram Examinatoribus Synodalibus peritiæ suæ specimina exhibebunt.

139. Quod si Examinatorum opinioni non satisfecerint iterum iterumque, ad nutum Episcopi, etiam septem supradictis elapsis annis, examini subjiciendi erunt usquedum de eorum scientia satis constiterit.

140. Nobis in discernendis et eligendis qui præsent ecclesiis et missionibus, aliis dotibus non prætermissis, Examinatorum suffragia magni momenti in posterum erunt.²⁾

141. Unicuique Nostrorum sacerdotum concedimus facultatem, propriam suam confessionem faciendi apud presbyterum extraneum, intra limites diœcesis Nostræ ad tempus versantem, dummodo constet eum in propria diœcesi esse approbatum.

142. Omnino imperamus ne sacerdotes hujus diœcesis tam sæculares quam regulares, medicinam vel chirurgiam, sive lucri gratia sive charitatis specie, exercent.³⁾

143. Cum dedeceat clericos in publico fumigare, jubemus ne in posterum clerici Nostræ diœcesis in viis publicis, quæ vulgo dicuntur "*streets*," fumigent.

*Ab anno 1907, per *quinquennium*.

1) Con. Pl. Balt. II, 163, et seq.

2) Con. Trid. Sess. XXIV, Decr. de Ref. c. XVIII; et Sess. VII, Decr. de Ref. c. XIII. 3) Con. Pl. Balt. II, 153.

144. Evitent diligenter sacerdotes omnem illicitum ludum; etiam ab omnibus quibuscumque ludis abstineant qui, etsi animi remissioni alias honestæ serviunt, scandalo esse possint, e. g., *chartis* cum laicis ludere.¹⁾

145. Hortamur sacerdotes Nostros ut tempestive, ad normam legum civilium, *de bonis suis* testamentum conficiant. Quod peragentes memores sint æquum esse pauperes piæque Ecclesiæ institutiones præ aliis hæredibus partem habere in iis quæ occasione *ministerii sacri* acquisita sunt.

146. Sacerdotes tribunalia profana negotii aut litis causa temere ne adeant, neve quemquam in curias civiles vocent, neve, vocati, sponte se sistant nisi res gravior sit et aliter componi nequeat.²⁾

147. "Ne vero," ita Pius IX. in Encyclica d. d. 17 Martii, 1856, "in sacerdotibus, qui doctrinæ et lectioni attendere debent, quique obstricti sunt officio docendi populum ea quæ scire omnibus necessarium est ad salutem, et ministrandi sacramenta, sacrarum disciplinarum studium unquam restringatur, aut languescat industria, optatissimum Nobis est, ut a Vobis, ubi fieri possit, in omnibus Vestrarum diocesium regionibus instituantur opportunis regulis congressus de morum præsertim Theologia ac de Sacris Ritibus, ad quos singuli potissimum presbyteri teneantur accedere, et afferre scripto consignatam propositæ a Vobis questionis explicationem, et aliquo temporis spatio a Vobis præfiniendo inter se disserere de Morali Theologia deque Sacrorum Rituum disciplina, postquam aliquis ex ipsis presbyteris sermonem de sacerdotalibus præcipue officiis habuerit." Igitur Summi Pastoris voto obsequentes statuimus, ut omnes et singuli sacerdotes hac in diœcesi curam animarum habentes, vel fidelium confessiones audientes, statutis temporibus et locis a Nobis designandis ecclesiasticis conventibus (*conferences*) intersint.

1) Con. Pl. Balt. II, 154.

2) Ibidem, 155.

148. Denique, omnibus Nostræ diœcesis sacerdotibus enixe commendamus, ut attente perpendant sequentia verba Patrum Concilii Plenarii Balt. II., n. 167: "Ut integram mentis corporisque puritatem servant, otium et desidiam quasi pestem fugiant. . . . Sacerdos molle et ignavum vitæ genus detestetur ac fugiat; et quod temporis divinis laudibus et sacro muneri persolvendo superest ad literarum studio conferat. Neque disciplinis theologicis, canonicis, liturgicis semel operam dedisse sufficiat. . . . Scientiis etiam profanis animum intendere poterit, quas colere sacerdotem maxime decet, cum non pauca ex iis ad sacram scientiam ornandam tuendamque haurire liceat."

TITULUS VIII.

DE VARIIS DISCIPLINÆ QUÆSTIONIBUS.

149. Episcopus ad parochiæ alicujus pastorem visitationem adveniens recipiendus est in ecclesiæ aditu, juxta Rubricas in *Cæremoniali Baltimorensi* expositas.

150. Ex decreto 384 Con. Plen. Balt. II, in posterum, Festum Patronale cujusvis ecclesiæ, sive consecratæ sive benedictæ, solemniter et ritu debito celebrari jubemus. Quod si in ecclesiis rusticanis negligatur, nullo modo excusari potest. In ecclesiis autem urbanis, ubi difficile erit fideles die feriata congregare, permittimus ut Festum, quoad externam solemnitatem, in Dominicam proximam transferatur.

151. Exercitia pietatis, quæ tempore Quadragesimali instituuntur, præter Verbi Dei prædicationem, ut Synodus Trid. jubet,* recitationem Rosarii et Litaniarum, vel devotionem Viæ Crucis comprehendere possunt. Si quis alias preces et exercitia non probata publica facere cupit facultatem a Nobis petet, sine qua nemo sua ipsius auctoritate agere audeat.

152. Diebus dominicis et festis de præcepto Vesperæ integræ tempore opportuno post meridiem in omnibus ecclesiis

*Con. Trid. Sess. XXIV, de Ref., Cap. IV.

Nostræ diœcesis cantabuntur, quæ nunquam ob alia exercitia pietatis omittendæ sunt. Si forte in aliquo loco præsertim ruri, Vesperæ cantari non possunt, quia cantores desunt, pastor, post catechesim, Rosarium cum Litaniis et orationibus dicet, vel alia exercitia pia habebit, quæ a S. Sede probata et indulgentiis donata sunt. Ea autem exercitia, quæ non sunt approbata, sine facultate Ordinarii fieri non debent.

153. Cantus et musica infra Missarum solemnia, aliave officia publica adhibita menti et spiritui Ecclesiæ his in rebus conformia sint. Curent igitur pastores ut sacrosancto Missæ Sacrificio et aliis divinis officiis musica, non vero musicæ divina officia inserviant. Noverint, juxta Ecclesiæ ritum, carmina *vernaculo* idiomate, inter Missarum solemnia, vel Vesperas solemnes, decantare non licere.

154. GLORIA, CREDO, et Vesperæ *secundum officium diei*, semper *integra* cantanda sunt. Id vero, ad cantum ecclesiasticum quod attinet, eo facilius attingetur quo majore cum cura pastores invigilabunt ut pueri rudimenta cantus Gregoriani edoceantur.

155. Sacerdos sæcularis qui sine Nostra licentia relinquat assignatam sibi missionem, cum animo non redeundi, *ipso facto suspensus est* ab omni exercitio ordinis et jurisdictionis.

156. Negligentia vel impotentia ex parte pastoris implendi officia parochialia, vel solvendi justa congregationis debita, vel ædes sacras decentes conservandi, vel nova extruendi ædificia necessaria, forent rationes sufficientes ad ipsum a missione sibi commissa removendum.

157. Sub pœnâ suspensionis ferenda sententia incurrendæ, prohibemus ne ullus sacerdos, Nobis inconsultis, ex redditibus ecclesiæ plus accipiat quam salarium statutum, aut collectas sive die Nativitatis Domini, sive solemnitate Paschatis, aliisque cujusvis festi vel temporis aut integras aut ex parte sibi retineat.

158. Pastores ecclesiarum, necnon auxiliarii laici (*councilmen*), omnino vetiti sunt sine Episcopi facultate *scripto* obtenta, nomine ecclesiæ, vel etiam nomine proprio, ut ecclesiæ officiales, pecunias mutuas sumere, vel in depositum accipere.¹⁾

159. Ad præcavendos abusus qui occasione festivitatum, quæ vulgo *Picnics* vel *Excursions* nuncupantur, irrepere possint, quasdam regulas statuendas, et in appendice hujus libelli (p.21*) typis excudendas decrevimus. Eisdem autem singulis annis, tempore verno, publice in ecclesia *semel* saltem prælegi et, data occasione, stricte servari mandamus.

160. Sancta Sedes imperat ne moniales institutrices ad scholas suas admittant pueros qui annum duodecimum compleverunt, sine speciali facultate ab Ordinario concessa. In ecclesiis non licet monialibus, in choro in quo viri canunt, cantui præesse, aut organum pulsare.

161. Ad vitanda incommoda prohibemus ne pastores solutionem salarii scholæ magistrorum, vel aliarum personarum ecclesiæ inservientium, ultra tres menses protrahant.

162. Si sacerdos, sive sæcularis sive regularis, qualibet de causa e Nostra diœcesi discedat ac in aliam diœcesim co-optatus sit, facultates quas antea in Nostra diœcesi habuit, *eo ipso* amittit. Si postea iterum in territorium Nostræ jurisdictioni subjectum redeat ad quascumque facultates exercendas nova venia a Nobis concessa indigebit.

1) Con. Pl. Balt. II, 159, et Con. Prov. Cin. I, Decr. XI.

COUNCILS, COUNCILMEN, TEMPORALITIES, ETC.

163. In every congregation of the Diocese of Cleveland there shall be a COUNCIL, for the administration of its temporal affairs.

164. The *Council* shall be composed of the Pastor, and *two* lay-members in all congregations of *thirty* families or less; of the Pastor and *four* lay-members in all congregations of *more than thirty* families.

165. The Pastor shall always be one of the Council, and President, *ex-officio*, of the body. He shall hold his office permanently, unless removed by the Bishop or Ordinary.

166. None shall be *Candidates* for the office of councilmen except members of the congregation; men of mature years, of good, moral and peaceable character, practical Catholics, and who contribute a fair share toward the expenses and support of the congregation. Saloon-keepers shall not be councilmen.

167. All male members above twenty-one years, who are actual members of the congregation and contribute their fair share towards its support, are *Electors* of Councilmen.—Members one year in arrears shall neither vote nor be voted for.

168. The *election* of Councilmen shall take place in the following manner: On the first Sunday in January, where there is a resident Pastor; or on the first visit after January 1, to a "Mission Church," the Pastor will present a list of candidates for Councilmen, chosen by himself, and containing not less than four times the number of Councilmen to be elected, and one week after the electors shall make a choice from amongst the candidates so presented. The votes, written or printed on tickets, shall be taken, and the candidates having the greatest number of votes shall become members of the Council. None but candidates presented on the list can be elected, and all the votes given to others shall be null and void.

169. The Councilmen elected shall hold office for the term of *two years*, except in the following case: after the expiration of *one year* from the *formation* of the first Council of a church, half their number shall resign by lot. Their successors shall then be chosen and elected in conformity with No. 168, and shall hold office for *two years*.

170. Should any Councilman fail in the discharge of his duties, or in the respect due the Pastor, or give any public scandal, the Bishop or Ordinary must be informed, who may remove from office such unworthy member of the Council.

171. In case of death, departure, removal, or voluntary resignation of any Councilman, no new election, to fill the vacancy, will be necessary before January following, as long as one member, in a congregation of less than 30 families, or two members in a congregation of more than 30 families, continue to act as Councilmen.

172. The names of Councilmen whose term of office is about to expire, or who have formerly acted as such, may be presented by the Pastor for re-election.

173. The *officers* of the Council shall be: the Pastor, as President, *ex-officio*; a Secretary, and a Treasurer.

174. The Secretary and Treasurer shall be chosen by a majority vote of the Councilmen, at the first meeting after the election, and shall serve for one year.

175. The Pastor may be elected Secretary or Treasurer, but both offices can not be held by one person at the same time. No compensation shall ever be paid the Secretary or Treasurer.

176. It shall be the duty of the *President* to convoke all meetings of the Council, to preside thereat and preserve order. The Council shall meet *monthly*. If the President deem it necessary he may convoke extra meetings.

177. It shall be the duty of the *Secretary*: 1st, to take minutes of each meeting, and to transcribe them in a book kept for that purpose; 2nd, he shall keep a list of the names of the Councilmen, the time of their election and term of office; 3d, he shall draw up, at the close of each year, an exact account, in *duplicate* form, of all the receipts and expenses of the congregation during the current

year; also an itemized statement of all debts due by the congregation, which shall be submitted to and signed by the Pastor and Councilmen, and then sent to the Chancellor, to be examined and signed by the Bishop or Ordinary; 4th, he shall also keep a record of all other matters appertaining to the congregation, such as the purchase or sale of property, improvements, &c.

178. It shall be the duty of the *Treasurer*: 1st, to hold for safe-keeping all moneys belonging to the church; 2nd, to pay the obligations of the church, but in no case without the *written* order of the Pastor, countersigned by the Secretary, which, together with the receipt of the payee shall be evidence of the payment authorized and made; 3rd, he shall keep an exact account of all moneys received or paid by him, as Treasurer of the congregation; 4th, he shall present, every three months, a written report to the Council, showing an account of all receipts and expenses for the last quarter; 5th, he shall keep on file all written orders of the Pastor, authorizing the payment of bills or accounts due by the congregation; also all canceled notes, and receipts for moneys expended; 6th, he shall present the account-books of the congregation for inspection whenever requested; 7th, when the revenue of a congregation exceeds \$500, the Treasurer thereof may be required to give sufficient security or bond for the faithful performance of his duties as such treasurer.

179. If the Treasurer of any congregation expend money belonging to the congregation without a *written* order, or against the will of the Pastor; or if he refuse to pay any obligation of the congregation on presentation of a written order from the Pastor, countersigned by the Secretary—provided there is sufficient money in the Treasury to pay such obligation—he shall be reported at once to the Bishop or Ordinary, who may suspend or remove him from office.

180. To insure uniformity in the keeping of accounts, the Pastor will see that the Treasurer keeps a Day-book and a Ledger. In the Day-book all the receipts and expenses will be entered as they occur. The entries will then, from time to time, be transferred to the Ledger, under headings corresponding with the several items given in the blank form of "Annual Financial Report," or such other appropriate headings as may be necessary.—This simple mode of keeping books will make the filling in of the blanks of "Financial

Report" an easy matter, and enable successors to understand intelligently the accounts of their predecessors.

181. It shall be the duty of the Pastor, aided by his COUNCIL: 1st, to collect the means necessary for the support of the clergy, teachers and schools; 2nd, to examine, decide on and execute whatever relates to building, improving or repairing of church, school, pastoral residence, and parochial institutions, under the *direction* of the Pastor, and with the approbation of the Bishop or Ordinary; 3rd, to administer the property and provide for the payment of the obligations of the congregation; 4th, to keep insured in reliable companies, all parochial buildings, such as church, pastoral residence, school, also furniture, &c.—for an amount equal to at least *two-thirds* of their value; 5th, to audit *all* bills against the congregation, no matter what the amount or what the purchase, and only after such bills are audited and accepted, is the Secretary permitted to endorse, or the Treasurer to pay, the same.

182. In the exercise of its duties the Council shall observe the following Rules: The lay-members of the Council being elected for the purpose of *aiding* the Pastor in his administration of the temporal affairs of the congregation, no decision can be made against his will, and he may *veto* any or all measures which he does not approve. If a majority of the Council persist in carrying such measures, or reject any proposition made by the Pastor, the case must be presented to the Bishop or Ordinary, whose decision shall bind both Pastor and Councilmen.

183. In disposing of the revenues of their churches, Pastors and Councilmen shall be governed by the following Principles and Rules, viz:

PRINCIPLES.

A. Pew Rents, Sunday Collections, and donations for the support of the School, constitute the *ordinary* revenues of a congregation.

B. By current, or ordinary expenses, are meant: 1st, the support of the Priest and School; 2nd, the support of the Bishop and Seminary (Diocesan Fund); 3rd, the items of expense, as mentioned in the blank form of Annual Financial Report, under the head of "*Ordinary Expenses*;" 4th, the Infirm Priests' Fund.

C. All other expenses, such as building, improvements, purchases, &c., shall be known as *extraordinary* expenses.

RULES.

Ordinary expenses are the first claim on the receipts of a congregation, and shall be paid out of the *ordinary revenues*, in the following order, viz:

A. 1st, the support of the priest and school; 2nd, the support of the Bishop and Seminary (Diocesan Fund); 3rd, the items of ordinary expenses, as stated in the blank form of ANNUAL FINANCIAL REPORT, under the head of "Ordinary Expenses;" 4th, the Infirm Priests' Fund.

B. When the ordinary revenues are not sufficient to meet the current or other expenses, then collections shall be made.

C. Before the extraordinary expenses are paid, the current expenses must be paid.

SALARY OF PASTORS, VICARS, ETC.

184. Until otherwise ordered, the salary of pastors shall be \$700 per annum, the salary of vicars \$500 per annum, and both shall be payable monthly, or quarterly. If the salary is not drawn or paid in full by the end of each year, the *total* balance due shall be entered in the "Itemized Statement of debt" in the ANNUAL FINANCIAL REPORT.*

185. Priests must collect their own salaries. Pastors or vicars failing to collect their salary within one year after it is due, *shall, ipso facto, forfeit it*. After January 1, 1883, this law shall be retro-active on all salaries then due and not collected by January 1, 1884.

186. When a priest has charge of two or more Missions, the salary allowed in No. 184 shall be divided *pro rata* between the Missions attended, according to the *Sunday* services given. When extra expenses are incurred in attending such Missions, as e. g.; for buggy hire, an extra allowance will be granted by the Bishop or Ordinary, on presentation of the case, *but not otherwise*.

See appendix, p. 20.

187. Besides the salary allowed to Pastors and Assistants, the congregation shall provide a suitably furnished pastoral residence, light and fuel, or means to procure the same.

188. Teachers, Sexton, Organist, Singers, and all officers of the church, are appointed by the Pastor, and their salary is fixed by him. If the lay-members of the Council are opposed to such appointments, or to the salaries to be paid, the Bishop or Ordinary must be informed, whose decision shall be final and binding. Salaries of Teachers, Sexton, &c., must be paid monthly, or, at farthest, quarterly.

BUILDING OF CHURCHES, SCHOOLS, ETC.

189. Neither the building of a new church, nor the alteration of an old church, nor the erection of a school-house, nor of a pastoral residence, shall be begun without the *written* permission of the Bishop or Ordinary.—*Con. Pl. Balt. II. No. 183.*

190. The plans and specifications of churches, school-houses, or pastoral residences, made by a professional architect, together with an estimate of the cost, the *reliable* subscriptions, money on hand, or statement of contributions of the people, must be submitted to the Bishop or Ordinary before contracts are made or the buildings commenced.

191. Before buildings are begun, or notable changes made in those already erected, written contracts, in *duplicate* form, shall be drawn up and signed, and security given for the completion of the work in accordance with the tenor of the contract.

192. The walls of brick churches, no matter how small, shall be at least two bricks thick, and the doors of larger churches shall open *outwards*. Much attention must be paid to the heating and proper ventilation of churches and school-houses. School-rooms shall not measure less than twelve feet from floor to ceiling. Towers shall be *detached* from the main walls.

193. Neither churches nor school-houses shall be built near a railroad, or factory, or place of noisy business; nor near a public school, or church of non-Catholic worship. Church property must be fenced in and kept in decent order.

NOTES, MORTGAGES, DEEDS, ETC.

194. Without the *written* permission of the Bishop or Ordinary all debts contracted, or moneys borrowed, whether acknowledged or signed by the Pastor, Councilmen, or individuals of a congregation, or all together, shall be at the risk of those who contract the debt, or sign the notes, as the Bishop or Ordinary will not hold himself responsible, nor allow church property to be held liable, for debts contracted without the above *written* permission.

195. Notes signed by the Pastor alone, will be considered *personal* obligations, and the signer will be held personally responsible.

196. Pastors and Councilmen, either individually or collectively, are strictly forbidden to issue notes for church debts, without the authorization of the Bishop or Ordinary in writing.

197. Neither the church, nor church property, nor any building on said property, shall be held responsible or become liable for any debt contracted, or for any sum of money borrowed by the Pastor, or by the Councilmen, or by both the Pastor and Councilmen conjointly, except the *written* permission of the Bishop or Ordinary has been given for such debt, or loan, and only and solely for the amount specified in said permission. And such debt made, or such loan negotiated, shall, at once, be entered in the accounts of the church, with the time when due, and what interest, if any, it calls for.

198. Applications for permission to borrow or expend money shall be made in *writing*, stating the object and amount of the loan or expenditure.

199. When security is desired for moneys lent to a congregation, either by the Pastor or others; or when security is desired for a debt due by a congregation, other than unpaid salaries, the Bishop or Ordinary having first been informed, and permission obtained, notes shall be drawn up, in accordance with the form of note given in the Appendix, page 23*, which shall be signed by the pastor and Councilmen of the Congregation in whose interest the money is borrowed, or the debt is contracted. When such notes are duly signed they shall be forwarded to the Chancellor for the signature of the Bishop or Ordinary. [The signatures of Pastor and Councilmen on

notes whose issue has been authorized by the Bishop or Ordinary, are necessary to locate the debt on the church for which it was contracted, and are not intended to make the signers *personally* responsible.]

200. If additional security is desired for the payment of debts of a congregation, *other than unpaid salaries*, the Bishop or Ordinary will give a mortgage on the property of such congregation. The mortgage note shall be drawn up and signed in the same manner as prescribed in No. 199, and *shall be described in the mortgage*. Mortgages, will however, be given only when the debt to be thus secured amounts to \$1,000 or more. Whether the debts of congregations are secured by note or by mortgage, the property of each congregation will be held for the payment of its own debts.

201. All notes or mortgages, issued in accordance with Statutes 199 and 200, shall be forwarded to the Chancellor for cancellation on the Diocesan Records when paid. The cancelled notes will be returned to the Pastor.

202. When real estate is to be bought or donated for the use of a congregation an abstract of title must be procured, and before the deed is signed both deed and abstract shall be sent to the Chancellor to be examined by the Bishop or Ordinary. If found in proper form, the deed will be returned to be signed and recorded. After it is recorded it shall be returned to the Chancellor with a plat of the property thus conveyed, to be by him filed in the Diocesan Archives.

203. Deeds for church property bought or donated for the use and benefit of any church or congregation in this Diocese must be made in *fee simple* to the Bishop, viz:—"to N. N., Bishop of Cleveland, his heirs and assigns,"—without any conditions or hampering clauses.

204. No Pastor or Councilmen shall upon any plea whatsoever have any real estate, intended or bought for the use and benefit of any church or congregation, deeded in his or their name.

COLLECTIONS.

205. Door collections are not allowed in any church in this Diocese. Where pews are not rented, and the income is raised by voluntary contributions, collections shall be taken in the pews only, but never at the door or by collectors standing at the foot of the aisle.

206. Congregations shall pay for all the things necessary for the altar, as altar-bread, wine, candles, vestments, etc. In order to provide for these expenses a *collection* shall be taken up during the *Offertory* of each Mass on Sundays and Holydays, by one or more of the Councilmen, and deposited, as part of the ordinary revenue, in the hands of the Treasurer, who shall take charge of it and in due time give an account thereof.

207. The annual collection for the Holy Father shall be taken up on Pentecost Sunday, in every church in the diocese where there is a resident Pastor, and the sum, great or small, will be sent within two weeks thereafter to the Chancellor; but in "mission churches" this collection will be taken up at the first regular visit of the Pastor after Pentecost.

208. Under no circumstances shall any person, whether lay or cleric, or any priest or religious outside his own immediate congregation, or any Sisters, be permitted to collect or solicit alms in money or in kind, unless with the permission of the Bishop or Ordinary of the diocese, given in *writing* and on official paper, duly signed and sealed. Besides this permission the *written* consent of the local pastor must also be obtained, and the collection *announced* by him in the parish church of the congregation in which it is to be taken. All persons authorized to collect will take with them their letters of authorization given by the Bishop or Ordinary, and the local Pastor. Unless collections are authorized and announced as herein stated, they are strictly forbidden.

PARISH LIMITS.

209. The following rules relative to Parish Limits are prescribed, viz:

1st. The line of measurement shall be the public wagon-road by which people must go to church.

2d. Those living nearest any given church, by the above line of measurement, shall belong to the church to which they live nearest.

3d. Those who live equi-distant between two or several churches, shall go to, and belong to the church to which they now go.

4th. Prescription, affection, likings or preferences, will not be taken into consideration, nor permitted as against the above rules.

5th. Local causes or peculiar cases will be referred to the Bishop or Ordinary.

6th. In cities or towns, where there are two or more churches of the same language, the lines shall be drawn by the Bishop or Ordinary.

DIOCESAN CENSUS;
DIOCESAN AND INFIRM PRIESTS' FUNDS.

210. In order to equalize the assessment to be made on the congregations of the Diocese for the support of the Bishop, Seminary, Chancellor, (Diocesan Fund), and for the support of Infirm Priests (Infirm Priests' Fund), a biennial Census shall be taken in each congregation, in accordance with the following regulations, viz:

1st. Every family paying at least \$4.00 a year for church or school expenses, whether by pew rent, ordinary or extraordinary collections during Mass, subscriptions, donations, or in any other manner, shall be counted as a paying family.

2nd. Widowers or widows, having grown up children, and paying \$4.00 a year, shall be counted as a full family.

3rd. In mixed marriages, where the husband is Catholic, and paying \$4.00 a year, a full family shall be counted.

4th. In mixed marriages, where the wife is Catholic, she is to be counted as a single person.

5th. Single persons who contribute \$2.00 a year, will be returned as paying members of the congregation; three such persons to be counted as a family.

6th. Families contributing less than \$4.00 a year, shall be returned as paying families of the congregation in the following manner, viz.: Divide the amount of their several contributions by four, the result to be added to the number of families paying at least \$4.00 a year.

211. The Census Report shall be forwarded to the Chancellor by *February 1st*, of the year in which such Census goes into effect.

212. The Census thus reported will be taken by the Diocesan Board of Census Revision as a basis for the assessment, which, when thus arranged, will remain in force for two years.

213. Congregations or missions having a church, in which Mass is said but once a month on Sunday, shall be taxed but one-half the usual rate. Stations (without churches) are not taxable.

214. Where there are grave doubts as to the accuracy of the Census Report of any congregation, one or more members of the Board of Census Revision may be empowered by the Bishop or Ordinary to investigate the books of said congregation.

215. The *Diocesan Fund* shall be paid semi-annually, and sent to the Chancellor free of charge: the first half by *May 1st*, and the second half by *November 1st*, of each year.*

216. The *Infirm Priests' Fund* shall be paid by *December 1st*, of each year, and sent free of charge to the Treasurer thereof.

217. Interest, at the rate of six per cent., will be charged on all arrears to the Diocesan Fund, and Infirm Priests' Fund. Congregations will be considered in arrears to the above funds if their assessment for the current year is not paid by December 31st, and they will be charged interest thereon from that date until paid.

ANNUAL REPORTS AND PARISH RECORDS.

218. The Bishop being ultimately responsible for the proper administration of each congregation, an exact account of all receipts and expenses of each year, from the 1st of January to the 31st of December—also an itemized statement of all the debts of the congregation shall be sent to the Chancellor by the *first of February* of each year. This account and statement shall be sent in duplicate form, signed by the Pastor and Councilmen, using the blank form for "Annual Financial Report," of which two copies for each church will be sent to the Pastor. After the Bishop or Ordinary shall have examined them, one of the duplicate copies will be returned to the Pastor, and the other kept on file in the Diocesan Archives.

219. The "Annual Financial Report" shall be read by the Pastor

See p. 16, of Appendix to Dioc. Statutes.

to his congregation during Mass, on the first Sunday after it has been approved by the Council.

220. When a priest is relieved from the charge of a congregation, he shall have a Statement drawn up, in duplicate form, of the receipts, expenses and debts of the church, beginning with the close of the last Annual Financial Report, and ending with the date of his removal. He shall use for this Statement the blank form for "Financial Report," of which two copies will be sent him. When properly filled these shall be signed by himself and the Councilmen, and then forwarded to the Chancellor, together with an inventory in duplicate form of all the church goods, house furniture, &c., in use at the time of his removal—the inventory to be signed by himself only. After the Bishop or Ordinary shall have examined the Statement and Inventory, one copy of each will be returned to be filed among the church records.

221. The following Annual Reports shall be sent to the Chancellor by *February 1*, of each year, viz: 1st, the Financial Report as mentioned in 218; 2nd, the Statistics of the congregation, giving the number of baptisms, marriages, deaths, &c.; 3rd, the School Report, giving enrollment and attendance of children, number of teachers, etc. The Reports must include the time between *January 1*, and *December 31*, of each year.

222. Pastors shall keep an Inventory Book in which each article bought for the use of the church or pastoral residence will be recorded.

223. As it is desirable to keep an historical record of every congregation in the diocese, Pastors will keep a book for that purpose, labeled "Historical Record," in which will be briefly noted the date of organization of the congregation; when the church was built; when the school was established; what priests were in charge, and how long, and such other events in connection with the congregation, school, &c., as may be worthy of note.

224. All parish records and account-books shall be submitted to the Bishop for examination on his visitation.

225. For the protection of parish records, sacred vessels, etc., a fire-proof safe shall be procured where it is at all possible, the safe to be placed in the church or pastoral residence, as may be deemed advisable by the pastor. It is also desirable that a suitable parish seal be procured for each church in this diocese.

SCHOOLS, LIBRARIES, ETC.

226. A Catholic School must be established in every parish or mission in the Diocese at the earliest practicable moment. This is a question not for discussion, but one with which the consciences of the Pastor and people are charged, and both must answer to God for the guilt, if they have neglected their duty toward the immortal souls of the children entrusted to their care.

227. The parochial school is under the control and direction of the Pastor, who alone can appoint or dismiss teachers, and make such regulations for the school as he deems proper.

228. Religious shall not be engaged to teach, nor discharged from the school in which they are teaching, without the *written* permission of the Bishop or Ordinary.

229. No special *school-directors* are allowed. In case of opposition from the lay-members of the Council to anything concerning the school or teachers, the Bishop or Ordinary may be informed, whose decision shall be final and binding.

230. Teachers, whether lay or Religious, shall not for their own profit sell books to their pupils. But should it be necessary or advantageous to the children to do so, then the profits arising from the sale of books must be used for the benefit of the schools, or to provide books for the poor children of the parish in which such schools are situated.

231. In every congregation, where at all possible, a library for the children shall be established, in which books of instruction and healthy amusement shall be found. Pastors shall themselves select the books for such libraries, excluding books unsound in doctrine or of doubtful morality. From the funds of the church let Catholic Sunday-school papers be bought, and, as rewards of merit, distributed among the children. Pastors should also strongly urge the circulation of Catholic newspapers, books, and periodicals among their people.

CHURCH MUSIC.

232. Pastors will use every effort to introduce the Gregorian and Cecilian chants into their choirs, and to have the rudiments

thereof taught in their parochial schools. (*Con. Pl. Balt. II, N. 380.*) It is, however, not to be understood that figured music must be entirely excluded from our church choirs, but whatever of figured music is used let it be such as will approximate nearest to the music approved of and used by the Church.

233. Directors of church choirs are strictly forbidden to select for the church choirs under their immediate charge, Masses, etc., set to music quite appropriate for an opera or the ball-room, but scandalously inappropriate for divine worship. Pastors are strictly charged to see to the observance of this Rule.

234. To comply with the Rescript of the Sacred Congregation of Rites, Sept. 11, 1847, relative to High Mass (*Missa Cantata*), Pastors will enjoin on their choirs the singing of the Introit, Gradual, Offertory, Communion, and the Sequence when prescribed.

235. Vespers, with antiphons, hymns, etc., must be sung on Sundays and festival days as directed in the Roman Breviary. Musical Vespers, so called, are strictly forbidden.

236. The singing of hymns, etc., in the vernacular, during High Mass, Vespers, or Solemn Exposition of the Blessed Sacrament, is strictly prohibited.

237. Pastors and the directors of church choirs are earnestly admonished to acquaint themselves with the laws and wishes of the Church relative to ecclesiastical music and singing, and to comply with the letter and spirit of Church legislation in this regard.

SOCIETIES.

238. The subject of societies is one of great difficulty and requires much delicacy of treatment. On the one hand are the well-known restrictions of the Church, on the other the right of men to band together for legitimate purposes. The difficulty consists in determining what is legitimate, and what is not. To prevent misunderstanding, and to establish unity of action, the following rules are published, viz:

1st. Catholics cannot belong to oath-bound societies; nor can they belong to societies in which there is any form of prayer or religious ceremony other than Roman Catholic.

2nd. That a Society of Catholics be recognized as a Catholic society, the following must be complied with: (a) Their constitution and by-laws must be approved by the Bishop of the diocese. (b) None but practical Catholics, who approach the Sacraments at least once a year, can be members. (c) When there is a fair Catholic school, Catholic societies shall not admit as members those who send their children to a non-Catholic school. (d) Catholic societies shall not hold their meetings during the time for Mass or Vespers, nor shall they have picnics, excursions, or dances, etc., contrary to the laws of the Diocese. [See Appendix, p. 21.*] (e) The local pastor shall have free access to the meetings of all Catholic societies, and shall have a *veto* on all matters appertaining to faith and morals.

3rd. Societies violating the above regulations shall not be permitted the use of church property, such as school-houses, halls, etc., nor shall they be permitted, *as societies*, to assist at any religious ceremonies, or to enter the church at funerals, general Communion, etc., wearing their regalia; nor, if temperance societies, shall the priest administer the pledge to their members.

4th. Where societies comply with the above regulations, the clergy shall not only encourage them, but leave them free as far as possible, that then, by gathering Catholics into Catholic societies, they may be kept from joining condemned societies.

CEMETERIES AND BURIALS.

239. The Parochial Cemetery is under the control and management of the Pastor, assisted by a Board of Managers. Where such cemetery is laid out in burial lots, the Pastor will give to persons to whom burial lots are sold, and for which payment has been made in full, a Certificate of Ownership, and take from them an acknowledgment that they have received such Certificate of Ownership, and that they will abide by the conditions therein expressed. The forms of "Certificate of Ownership," and of "Acknowledgment," to be used in this Diocese, are given in the Appendix, pages 22* and 23.*

240. Cemeteries shall be governed by fixed rules, to be approved by the Bishop, and then printed on the Certificate of Ownership.

241. Cemeteries shall be kept clean, and roads, walks, shrubbery,

fences, etc., in good order. All foolish and profane epitaphs or inscriptions on monuments or headstones are strictly forbidden.—Cattle must be kept out of the cemetery grounds.

242. Cities where there is more than one church, shall, after the present cemeteries (1882) are filled, have but one common cemetery. In places where there is but one church, each congregation shall, as soon as possible, have its own cemetery.

243. The money derived from the sale of burial lots, graves, etc., shall be used exclusively to beautify and improve the cemetery, and keep it in proper order. The revenues of the cemetery cannot be used for other purposes, unless with the *written* permission of the Bishop. *Con. Pl. Balt. II, 393.*

244. Cemeteries shall be blessed within a reasonable time after purchase. Until such blessing, each grave shall be blessed at the time of burial.

245. In each cemetery there shall be set aside a decent lot for burial of the clergy. This lot shall be kept clean and in proper order.

246. None shall be denied Christian burial unless such as are distinctly excepted in Decree No. 389, of the II Plenary Council of Baltimore. Mere neglect of religion shall not debar from Christian burial, unless the dying shall, *before witnesses*, refuse the Sacraments.

247. Catholics shall be free to select graves or burial lots for themselves, or their friends and relatives, in such Catholic cemetery, as they may choose. The funeral services shall be performed in the parish church, yet, for good reasons, may be performed where the body is to be buried.

248. Converts, or catechumens, shall receive full Christian burial services, even when they are to be buried in their family lots in a non-Catholic cemetery. Catholics may be buried in non-Catholic cemeteries when, *in good faith*, they have bought lots there and have already buried in them; or when previous to 1853 they have bought lots in such cemeteries. *Con. Pl. Balt. II, 390, 393.*

249. No person shall be denied Christian burial because he is poor, or cannot pay for the grave or burial expenses. The poor shall be buried at the expense of the congregation to which they belong. Fees for burial services shall not be asked under any pretext whatsoever.

250. The bodies of those who have died of contagious diseases, cleric or lay, shall not be brought to the church, but shall be immediately buried.

251. Pastors shall strive in all prudence to keep down extravagance at funerals, and guard against a vain display, that too often seeks rather to feed the vanity of the living than to honor the memory of the dead.

252. To discourage the extravagance and vain display so often seen at the burial of the dead, it is hereby directed that, hereafter, when the remains of any deceased adult, lay or cleric, are brought to the door of the church, the coffin shall be covered with a large black pall, ornamented with but a plain white cross, and from the time the remains are brought into the church, till they are removed therefrom, neither flowers nor any other ornaments shall be placed on the coffin, and nothing shall be placed around such coffin while within the church, except the usual number of candles prescribed by the Rubrics. Children under seven years are excepted from the above.

MANNER OF ASSISTING AT MASS, VESPERS AND BENEDICTION.

253. To insure uniformity throughout this Diocese in the manner of assisting at Low and High Mass, Vespers and Benediction, pastors are directed to enforce the observance of the following Rules relating thereto, viz:

LOW MASS.

When the celebrant enters the sanctuary the faithful will rise and remain standing till he comes down from the altar to begin Mass. Then they will kneel and remain so during the whole of the Mass, with the exception of the two Gospels, during which they will stand. *At no time during Low Mass is it allowed either for priest or people to sit.*

HIGH MASS.

1) When the celebrant enters the sanctuary the faithful will rise and remain standing until he comes down from the altar to begin Mass.

2) Then all kneel until the intonation of the *Gloria*.

3) At the intonation of the *Gloria* all rise and remain standing until the celebrant takes his seat, when the congregation also sits.

4) When the celebrant kisses the altar before the prayers all rise and remain standing during the singing of the prayers.

5) When the epistle is sung all sit.

6) When the celebrant (in a solemn High Mass, the deacon) sings *Dominus vobiscum*, before the Gospel, all rise and remain standing during the singing of the Gospel.

7) If the sermon follows the Gospel, the faithful kneel during the *Veni Creator*, stand at the reading of the Gospel, and sit during the sermon.

8) When the *Credo* is intoned all rise, and make a genuflection with the celebrant when he says *Et incarnatus est*.

9) The celebrant sits whilst the choir sings the *Credo*, as also the faithful.

10) When the choir sings *Et incarnatus . . . homo factus est*, the celebrant uncovers his head and the faithful kneel, after which they sit till the celebrant returns to the altar and kisses it.

11) Then all rise and stand during the *Dominus vobiscum* and *Oremus*.

12) During the incensing of the congregation at a solemn High Mass all stand.

13) Then all sit until the celebrant begins the preface with *Per omnia secula seculorum*, when all rise.

14) During the singing of the Preface all remain standing.

15) From the *Sanctus*, until the *second* ablution shall have been consumed, all kneel.

16) At the second ablution the faithful sit until the celebrant kisses the altar to sing the *Dominus vobiscum* before the last prayers.

17) All stand during the singing of the last prayers and remain so until the celebrant (or deacon, in a solemn High Mass) has sung the *Ite Missa est*.

18) All kneel then to receive the blessing.

19) During the last Gospel all stand.

20) The faithful should not leave the church till the celebrant has left the sanctuary. This rule holds for any public service.

VESPERS.

1) When the officiating priest enters the sanctuary all rise. The priest kneels on the lower step of the altar, saying a short prayer (*Aperi Domine*) after which he rises, goes to the bench, says in a low voice the *Pater* and *Ave* and intones *Deus in adjutorium*. The faithful kneel and rise with the priest. Both priest and people remain standing till the commencement of the first Psalm when all sit. Whenever the *Gloria Patri* is sung all should bow.

2) All rise when the priest (or in Solemn Vespers the subdeacon) begins to sing the chapter and remain standing until (on Feasts of double rite) the choir sings the antiphon of the *Magnificat* when all sit.

3) As soon as the *Magnificat* is commenced all rise. Whilst the choir repeats the antiphon of the *Magnificat* all sit, rise at the end of it, and remain standing until the end of the anthem and the prayer of the Blessed Virgin. But, if outside of Paschal time Vespers are sung on other days than Sundays, all kneel during the anthem and prayer, except the priest who alone stands when he sings the prayer.

BENEDICTION OF THE BLESSED SACRAMENT.

1) If Benediction is to be given after Vespers—as is recommended for all Sundays and Holydays of obligation—the Blessed Sacrament will be exposed to the adoration of the faithful immediately after the singing of "*Divinum auxilium*" and the choir will at once begin the "*O Salutaris Hostia*," or some other appropriate Latin hymn, after which the "*Tantum Ergo*" is either intoned by the officiating priest or wholly sung by the choir. No hymn of any kind shall be sung in the vernacular during the ceremony of Benediction; nor shall any hymn be sung before or after the *Tantum Ergo* not having direct reference to the Blessed Sacrament.

2) Immediately after the Benediction has been given the Sacred Host shall be reposed in the tabernacle, the choir meanwhile singing the Psalm "*Laudate Dominum*," at the beginning of which all rise and remain standing until the end of the Psalm.

3) On occasions of a parochial solemnity, such as the closing of

a Mission, or Forty Hours' Devotion, a portion, at least, of the "*Te Deum*," should be sung, either in Latin or in the vernacular, immediately after Benediction.

MISCELLANEOUS RULES AND DIRECTIONS.

254. All applications for dispensations, or for permissions of any kind, if granted, are recorded and filed in the Diocesan Archives. Hence all such applications shall hereafter be made in writing and addressed to the *Chancellor*, the envelope containing the application to be marked "Official." If there are two or more applications each must be written in a separate letter, and nothing extraneous to the application shall be contained in the letter. 1)

255. The written permission of the Bishop or Ordinary is required in the following cases: 1st for contracting any debt above \$100; 2nd, for expending, for any purpose whatsoever, any sum above \$100; 3rd, for building or enlarging a church, school, &c.; 4th, for lending moneys belonging to the congregation; 5th, for borrowing any sum of money above \$100.

256. Permission granted by the Bishop or Ordinary to erect buildings, or to *expend* money, is not a permission to *borrow* money or create a debt. Permission to *expend* money must be construed strictly in the sense in which it is given and never in the sense to borrow money or create debts.

257. Priests of this Diocese are forbidden to receive money on deposit. It is and must be distinctly understood, that if persons deposit money with the pastor or priest, the congregation or Bishop is not responsible for the payment of such money, and such depositors must look to such pastor or priest in his *private* capacity for the re-payment of such deposit.—*Con. Pl. Balt. II, No. 188; Con. Prov. Cin. I, No. 9.*

258. Articles of church goods, of whatsoever description, belonging to a church, either by purchase or gift, can not be taken from one church, or transferred to another, except for temporary use.

259. Gifts of church goods, or house furniture, of whatsoever

1) See p. 20* Appendix to Dioc. Statutes.

description, made by members of a congregation to a priest during his pastorate, and used by him habitually, either in the church, or in the pastoral residence, as the case may be, must be considered as belonging to the congregation. This rule, however, does not apply to gifts distinctly *personal*, but such personal gifts must be so marked and named at the time of presentation.

260. Children forced by parents or guardians to attend public schools shall, however, be permitted to attend Sunday School; when prepared they shall be admitted to confession and First Communion, but this latter not solemnly with the other children of the congregation; they shall not (if boys) be permitted to serve Mass; they shall be prepared for death and receive Christian burial, but without Mass.

261. Pastors will not fail to have the Forty Hours' Devotion in their respective churches within the time prescribed. To change the time appointed, or to omit this Devotion, without the *written* permission of the Bishop or Ordinary, is strictly forbidden. Pastors will be guided by the Baltimore Ceremonial as to the manner in which this Devotion is to be held, observing the ceremonies relating thereto as accurately as possible. They will also see that the Blessed Sacrament is exposed for adoration during *forty* hours and that the time for public services and for hearing confessions will suit the convenience of the faithful. The Blessed Sacrament will not be exposed during the Devotion earlier than five o'clock A. M., nor later than half past nine o'clock P. M.*

262. Religious Communities, under the direct jurisdiction of the Bishop, shall send Annual Reports of Finance and Statistics to the Diocesan Chancellor, using for such Reports the blanks that will be sent them for that purpose. They shall not make improvements, erect buildings, purchase property, contract debts, or borrow money above \$100, without having first obtained the Bishop's permission.

Mandamus demum ut Statuta, sive latine sive anglice, hoc in libello typis excusa, in posterum, usque ad revocationem, vim legis in Diocesi Nostra habeant. Statuta au-

Vide p. 15, App. Stat. Diocesis.

tem in synodis antea habitis promulgata, sed hac in Synodo (anno Domini, 1882, habita) non renovata, hisce abrogata declaramus.

Statuta omnia et singula, hac in Synodo promulgata, ut in hoc libello prostant, inde a prima die, anni proximi reparatae salutis, 1883, valebunt et vim habebunt.

† RICCARDUS GILMOUR,

Episcopus Clevelandensis.

Datum Clevelandiae,

d. 26 mensis Maii, A. D. 1882.

ACTA ET STATUTA VII SYNODI DIŒCESANÆ
CLEVELANDENSIS HABITÆ DIE 3,
JANUARIJ 1889.

Vocati ad synodum ab Ill^{mo} ac Rev^{mo} Domino Riccardo Gilmour, Episcopo Clevelandensi, per edictum diei 20 Decembris, anni recuperatæ salutis humanæ 1888, sacerdotes diœcesis Clevelandensis, curam animarum gerentes, sæculares necnon et regulares, præstituta die, quæ fuit tertia Januarii mensis, anno Domini 1889, hora secunda pomeridiana, convenerunt in Seminario clericali ad St^{am} Mariam in civitate Clevelandensi, ut diœcesanæ interessent synodo. Aderant synodo sacerdotes sæculares centum et triginta tres (annumeratis Vicario Generali, Cancellario, et Seminarii Rectore), religiosarum societatum sodales, undecim; synodales universi, centum et quadraginta quatuor.

Hora 2. p. m., cunctis synodalibus congregatis in sacello Seminarii, Ill^{mus} ac Rev^{mus} Episcopus, assistentibus Rev^{mo} F. M. Boff, V. G., et Rev. E. Hannin, Rev. vero N. A. Moes, S. T. D. Magistro Cæremoniarum, synodum aperuit, recitando alta voce orationem "Adsumus Domine" ex Pontificali Romano et hymnum "Veni Creator" alternis vocibus cum synodalibus.

Sedentibus omnibus, Ill^{mus} ac Rev^{mus} Episcopus designavit Rev^{um} G. F. Houck secretarium synodi; qui dein, jubente Episcopo, nomina perlegit eorum qui ad synodum vocati fuerant, notando absentes.

Quo facto, Ill^{mus} ac Rev^{mus} Episcopus consentientibus synodalibus exposuit, se eos in synodum concivisse eo fine, ut ad normam Concilii Plen. Balt. III Curias Episcopales constitueret, Missiones a rectoribus inamovibilibus regendas designaret, Rectoresque earundem inamovibiles institueret (Decr. 35, 36, 37).

Priusquam tamen id negotii attingeret, Ill^{mus} ac Rev^{mus} Episcopus duo, quæ sequuntur, decreta in synodo edidit et sanxit:

1. A prima die Januarii anni Domini 1890, nundinæ, Fairs, conventusque et oblectamenta necnon convivium, quæ vulgo vocantur *Picnics*, *Excursions*, *Lazem Fetes*, *Straw-*

berry et Ice-cream Festivals, ceterique omnes similes modi qui adhibeantur ad pecunias comparandas in usus ecclesiasticos, interdicuntur rectoribus inamovibilibus; item interdicatur quilibet usus eorundem modorum pecunias comparandi, qui fiat in utilitatem missionum quibus præsumt rectores inamovibiles. Ad ceteros sacerdotes missionesque quod attinet hac in re, statuta diœcesana anni 1882 spectantia ad *Picnics* etc. manent in pleno vigore.

2. Episcopus omni benignitate et justitia conabitur quasvis difficultates et controversias cleri populique componere; qui vero, parum contenti arbitriis Episcopi, judicalem postulabunt processum, iidem, antequam ejusmodi processus concedatur, in manus Episcopi deponent pecuniæ summam verisimilibus litis expensis parem, a procuratore fiscali taxandam probandamque ab Episcopo. Pars litem amittens expensas Curiae solvet. Sumptus inducti per dilationes non necessarias, aut per recursum ad ambages et technas forenses, solventur a parte in culpa pro rata portione, juxta æstimationem factam a procuratore fiscali et probatam ab Episcopo.

Quibus decretis promulgatis, publicata sunt nomina Examinatorum cleri diœcesani. (Conc. Pl. B. III decr. 24, 25, 26.) Ad munus Examinatorum assumpti sunt sequentes presbyteri:—Rev^{di} N. A. Moes S. T. D.; T. P. Thorpe; S. Bauer; T. F. Mahar S. T. D.; J. B. Jung; W. Becker S. J.

Continuo electi Examinatores, manu tangentes Missale Romanum, juramentum præstiterunt coram synodo de munere suo sincere adimplendo, juxta hanc formulam:

"Solemniter juro quod, dum munere examinatore synodalis fungar, sincere ac integre examinabo singulos et omnes, qui intuitu muneris rectoris inamovibilis se sistent, nulla ratione habita proprii sensus, amoris aut invidiæ, favoris aut præjudicii; quodque pro aut contra feram judicium fundatum solummodo in muneris rectoris inamovibilis candidati scientia et animi dotibus ut ab ipso exhibitis in examine a synodali collegio examinerum instituto. Sic me Deus adjuvet et hæc Sancta Evangelia."

His absolutis officiales Curiae in causis matrimonialibus nuntiati sunt qui sequuntur sacerdotes: Rev. T. P. Thorpe,

Moderator; Rev. F. Ankly, Auditor; Rev. W. McMahon, Defensor Matrimonii; Rev. N. Pfeil, Notarius.

Deinde Curiae in causis criminalibus et disciplinaribus Clericorum declarati sunt officiales: Judex, Ill^{mus} ac Rev^{mus} Episcopus; Assessores, Rev. N. A. Moes, S. T. D. et Rev. T. F. Mahar, S. T. D.; Procurator Fiscalis, Rev. S. Bauer; Cancellarius, Rev. G. F. Houck; Notarius, Rev. J. M. Koudelka.

Quibus expeditis, Missiones gaudentes privilegio inamovibilitatis cum suis rectoribus proclamatae sunt sequentes; Ecclesia ad S. Petrum Clevelandensis, rectore Rev. F. Westerholt; Ecclesia ad S. Malachiam Clevelandensis, rectore Rev. J. P. Molony; Ecclesia ad S. Stephanum Clevelandensis, rectore Rev. C. Reichlin; Ecclesia ad S. Patritium in civitate Toledo, rectore Rev. E. Hannin; Ecclesia ad S. Josephum in oppido Fremont, rectore Rev. S. Bauer; Ecclesia ad SS. Petrum et Paulum in oppido Sandusky, rectore Rev. R. A. Sidley; Ecclesia ad S. Joannem in oppido Delphos, rectore Rev. A. I. Hoeffel; Ecclesia ad S. Columbam in oppido Youngstown, rectore Rev. E. Mears; Ecclesia ad S. Josephum in oppido Tiffin, rectore Rev. J. M. Puetz.

Inde Ill^{mus} ac Rev^{mus} Episcopus paucis verbis exposuit se in instituendis missionibus a rectoribus inamovibilibus regendis eam secutum esse rationem, ut nulla missio gauderet privilegio inamovibilitatis nisi sub his conditionibus:

1. Ut ecclesia, schola et aedes sacerdotales sint lapidea aut latericia; 2. Ut ordinarii redditus sufficiant ordinariis sumptibus necnon æris alieni parti solvendæ; 3. Ut missio sit ejus magnitudinis et amplitudinis quæ duorum saltem sacerdotum ministerio egeat. Ill^{mus} ad Rev^{mus} Episcopus insuper notavit suam mentem eam fuisse ut in præsens saltem non essent duæ vel plures missiones inamovibilitate gaudentes quæ unum idemque occuparent territorium.

Quo facto, Ill^{mus} ac Rev^{mus} Antistes, data benedictione episcopali, synodo finem imposuit.

G. F. HOUCK,
Secretarius Synodi.

APPENDIX.

INSTRUCTIO

S. CONGREGATIONIS DE PROPAGANDA FIDE,

DE MODO SERVANDO AB EPISCOPUS FÆDERATORUM SEPTENTRIONALIS
AMERICÆ STATUUM, IN COGNOSCENDIS ET DEFINIENDIS CAUSIS
CRIMINALIBUS ET DISCIPLINARIBUS CLERICORUM.

Quamvis Concilium Plenarium Baltimorese II ab Apostolica Sede recognitum, certam quamdam iudicii formam, iam antea a concilio provinciali S. Ludovici sancitam, in criminalibus clericorum causis ab ecclesiasticis curiis diocesium Fœderatorum septentrionalis Americæ Statuum pertractandis servandam esse decreverit, experientia tamen compertum est, statutum iudicii ordinem haud undequaque parum esse ad querelas eorum præcavendas, quas pœna aliqua mulctari contigerit. Sæpe enim postremis hisce temporibus accidit, ut presbyteri iudiciis ea ratione initis latisque sententiis damnati, remoti præsertim ab officio rectoris missionarii huc illuc de suis Prælatiis conquesti fuerint et frequenter etiam ad Apostolicam Sedem recursus detulerint. Dolendum autem est, non raro evenire, ut in transmissis actis plura, eaque necessaria, desidererentur atque perpensis omnibus, gravia sæpe dubia oriantur circa fidem documentis hisce in causis allatis habendam vel denegandam.

Quæ omnia S. Congregatio Fidei Propagandæ præposita serio perpendens, aliquod remedium hisce incommodis parandum, ac ita iustitiæ consulendum esse censuit ut neque insontes clerici per iniuriam pœna afficiantur, neque, alicuius criminis rei ob minus rectam iudiciorum formam a promerita pœna immunes evadant. Quod quidem facili pacto obtineret, si omnes præscriptiones a sacris canonibus sapienter editas pro ecclesiasticis iudiciis, præsertim criminalibus, ineundis et absolvendis servandas omnino esse præciperet. Verum animo reputans, in prædictis Fœderatorum Ordinum regionibus id facile servari non posse, ea ratione providendum esse duxit, ut saltem illæ de admissio crimine accurate peragantur investigationes, quæ omnino necessariæ existimantur, antequam ad pœnam irrogandam deveniatur.

Itaque SSmo. Domino Nostro Divina Providentia PP. Leone XIII. approbante, in generalibus comiciis habitis die 25 Iunii 1878, S. C. decrevit, ac districte mandavit, ut singuli memoratæ regionis sacrorum Antistites, in Diœcesana Synodo quamprimum convocanda quinque, aut ubi ob peculiariora rerum adjuncta tot haberi nequeant, tres saltem presbyteros ex probatissimis et quantum fieri poterit in iure canonico peritis seligant, quibus consilium quoddam iudiciale,

seu, ut appellant, Commissio investigationis, constituatur, eidemque unum ex electis præficiant. Quod si ob aliquam gravem causam Synodus diœcesana statim haberi nequeat, quinque vel tres prouti supra per Episcopum interim ecclesiastici viri ad munus de quo agitur deputentur.

Commissionis ita constitutæ princeps erit officium criminales atque disciplinares presbyterorum aliorumque clericorum causas, iuxta normam mox proponendam ad examen revocare, rite cognoscere, ac ita Episcopo in ipsis definiendis auxilium præbere. Satagant propterea oportet ad hoc munus electi, ut accuratæ fiant investigationes, ea proferantur testimonia atque a præsumpto reo omnia exquirantur, quæ ad veritatem eruendam necessaria censentur ac ad iustam sententiam tuto prudenterque ferendam certa vel satis firma argumenta suppeditent.

Quod si de alicuius Rectoris missionis remotione agatur, nequeat ipse a credito sibi munere deiici, nisi tribus saltem prædictæ commissionis membris per Episcopum ad causam cognoscendam adhibitis eorumque consilio audito.

Electi Consiliarii in suscepto munere permanebunt ad proximam usque Diœcesanæ Synodi celebrationem, in qua vel ipsi confirmantur in officio vel alii designentur. Quod si interim morte, aut renuntiatione vel alia causa præscriptis Consiliariis numerus minuatur, Episcopus extra Synodum alios in deficientium locum, prout superius statutum est, sufficiat.

In causis cognoscendis, iis præsertim in quibus de rectore missionario definitive a suo officio movendo agatur, iudicialis commissio hanc sequetur agendi rationem:

1. Ad commissionem investigationis non recurratur, nisi prius clare et præcise exposita ab Episcopo causa ad defectionem finalem movente, ipse rector missionarius malit rem ad Consilium deferri, quam se a munere et officio sponte dimittere.

2. Re ad Consilium delata, Episcopus vicario suo generali vel alii sacerdoti ad hoc ab ipso deputato committat, ut relationem causæ in scriptis conficiat cum expositione investigationis eo usque peractæ, et circumstantiarum, quæ causam vel eiusdem demonstrationem specialiter afficiant.

3. Locum, diem, et horam opportunam ad conveniendum indicet, idque per litteras ad singulos consiliarios.

4. Per litteras etiam rectorem missionarium, de quo agitur, ad locum et diem constitutum ad Consilium habendum advocet, exponens, nisi prudentia vetat, uti in casu criminis occulti, causam ad defectionem moventem, per extensum, monensque ipsum rectorem, ut responsum suis rationibus suffultum ad ea præparet in scriptis, quæ in causæ expositione vel iam antea oretenus, vel tunc in scriptis relata fuerint.

5. Convenientibus consiliariis tempore et loco præfinitis, præcipiat Episcopus silentium servandum de iis quæ in Consilio audiantur; moneat investigationem non esse processum indicialem sed eo fine

habitam, et eo modo faciendam, ut ad cognitionem veritatis diligentiori qua poterit ratione perveniatur, adeo ut unusquisque consiliarius, perpensis omnibus, opinionem de veritate factorum, quibus causa inititur, efformare quam accurate possit. Moneat etiam ne quid in investigatione fiat, quod aut ipsos, aut alios periculo damni vel gravaminis exponat, præsertim ne locus detur actioni libelli famosi, vel alii cuicumque processui coram tribunali civili.

6. Relatio causæ legatur coram Consilio ab Episcopi officiali, qui etiam ad interpellationes respondebit a præside vel ab aliis consiliariis per præsidem faciendas ad uberiores rei notitiam assequendam.

7. Deinde in Consilium introducatur rector missionarius, qui responsum a se confectum leget, et ad interpellationes similiter respondebit, facta ipsi plena facultate ea omnia in medium afferendi, intra tempus tamen a Consilio determinandum, quæ ad propriam defensionem conferre possunt.

8. Si contingat, rectorem missionarium, de cuius causa agitur, nolle ad Consilium accedere, iterum datis literis vocetur, eique congruum temporis spatium ad comparandum præfinitur, et si ad constitutum diem non comparuerit, dummodo legitime præpeditus non fuerit, uti contumax habeatur.

9. Quibus omnibus rite expletis, Consiliarii simul consilia conferant, et si maior pars consiliariorum satis constare de factis arbitretur, sententiam suam unusquisque consiliarius in scriptis exponat rationibus quibus nititur expressis; conferantur sententiæ; acta in Consilio ab episcopi officiali redigantur, a præside nomine consilii subscribantur, et simul cum sententiis singulorum in extenso ad Episcopum deferantur.

10. Quod si ulterior investigatio necessaria vel congrua videatur, eo ipso die, vel alio ad conveniendum a Consilio constituto, testes vocentur, quos opportunos Consilium indicaverit, audito etiam rectore missionario de iis quos ipse advocandos esse voluerit.

11. Singuli testes *pro causa* seorsim et accurate examinentur a præside et ab aliis per præsidem, absente primum rectore missionario. Non requiratur iuramentum, sed si testes ipsi non renuant, et se paratos esse declarent ad ea quæ detulerint iuramento, data occasione, confirmanda, fiat adnotatio huiusmodi dispositionis seu declarationis in actis.

12. Consentientibus testibus, et dirigente prudentia Consilii, repetatur testimonium coram rectore missionario, qui et ipse testes si voluerit interroget per præsidem.

13. Eadem ratione qua testes *pro causa*, examinentur testes *contra causam*.

14. Collatis tunc consiliis fiat ut supra n. 9.

15. Quod si testes nolint aut nequeant Consilio assistere, vel eorum testimonium nondum satis luculentum negotium reddat, duo saltem ex Consilio deputentur, qui testes adeuntes, loca invisentes,

vel alio quocumque modo poterunt, lumen ad dubia solvenda requirentes, relationem suæ investigationis, ad Consilium deferant, ut ita nulla via intentata relinquatur ad verum moraliter certo cognoscendum antequam ad sententiæ prolationem deveniatur.

16. Omnia acta occasione iudicii in medium allata accurate in Curia Episcopali custodiantur, ut in casu appellationis commode exhiberi valeant.

17. Si vero contingat, ut a sententia in Curia Episcopali prolata ad Archiepiscopalem provocetur, Metropolitanus eadem methodo in causæ cognitione et decisione procedat.

Datum Romæ ex adibus præfatæ S. Congregationis die 20 Iulii anni 1878.

IOANNES CARD. SIMEONI, Præfectus.

IOANNES BAPTISTA AGNOZZI, Secretarius.

AD DUBIA CIRCA MODUM SERVANDUM AB EPISCOPIS FÆDERATORUM SEPTENTRIONALIS AMERICÆ STATUUM

IN COGNOSCENDIS, ET DEFINIENDIS CAUSIS CRIMINALIBUS
ET DISCIPLINARIBUS CLERICORUM.

I. Instructio die 20 Iulii, 1878, lata est de casibus, in quibus ecclesiastica pœna seu censura sit infligenda, aut gravi disciplinari coercionem sit locus. Hinc Concilii Plenarii Baltimorensis II, decreta N. 125, quoad naturam Missionum; et N. N. 77, 108, quoad iudices effectus remotionis Missionariorum ab officio, nullatenus innovata seu infirmata fuerunt.

Episcopi vero curent, ne Sacerdotes sine gravi et rationabili causa de una ad aliam Missionem invitos transferant. Quod si de alicujus Rectoris definitiva remotione a munere in pœnam delicti infligenda agatur, id Episcopi executioni non mandent, nisi audito prius Consilio.

II. Electio Consiliariorum facienda est in Synodo ad instar deputationis seu canonice electionis Judicum Synodaliū, qui non a Clero, sed ab Episcopo eliguntur, audito quidem consilio Clericorum in Synodo, etsi ex causis sibi notis illud amplecti postea Episcopus noluerit, ut bene observat Benedictus XIV. De Syn. lib. V. cap. V. num. 5. Hinc absonum est, ut in casu de quo agit Instructio, horum Consiliariorum electio ad Clerum pertineat.

Extra Synodum electio absolute ad Episcopum pertinet, quem decet, ut votum audiat reliquorum Consiliariorum in casu subrogationis alicujus qui deficeret, prout Episcopus in casu deficientis Judicis Synodalis debet exquirere Capituli Consilium, sed illud sequi non tenetur.

III. Votum a Consilio datum est semper consultivum, et sententia definitiva Episcopo est reservata; quando enim Canones dicunt aliquid ab Episcopo de Capituli vel Cleri consilio agendum esse, non propterea necessitatem ipsi Episcopo inducunt illud sequi, nisi expresse id cautum sit. Hinc recte dicitur in instructione, hos Consiliarios Episcopo in causis definiendis auxilium præbere, minime vero ipsos decidere. Sed inquisitionis acta, et opinio pandita a Consiliariis est semper inserenda processui.

Ex quibus patet officium Consiliariorum judiciale quidem esse, cum instructio sit iisdem commissa, ac tamquam Assessores Episcopo adstant; sed patet etiam judicialis et definitivæ sententiæ prolationem Episcopo esse unice reservatam.

IV. Per Instructionem sublata non est Episcopis extraordinaria facultas procedendi ad suspensionem ex informata conscientia, quatenus gravissimas et canonicas causas concurrere in Domino judicaverint, aut gravi et urgente necessitate pro salute animarum, etiam non audito consilio, remedio aliquo providendum esse censuerint.

Liberum cuique Rectori est alium Sacerdotem ab Episcopo approbandum secum habere coram consilio, sive ad simplicem adstantiam sive ad suas animadversiones aut defensionem exhibendam.

JOAN. CARD. SIMEONI,

J. B. AGNOZZI, Secret.

Sacr. Congr. Præf.

INSTRUCTIO

S. C. DE PROPAGANDA FIDE

DE SCHOLIS PUBLICIS AD RMOS. EPISCOPOS IN FÆDERATIS STATIBUS
AMERICÆ SEPTENTRIONALIS.

Pluries S. Congregatio de Propaganda Fide certior facta est in Fœderatis Statibus Americæ Septentrionalis Catholicæ juventuti e sic dictis scholis publicis gravissima damna imminere. Tristis quocirca hic nuntius effecit, ut prædicta S. Congregatio amplissimis istius ditionis Episcopis nonnullas quæstiones proponendas censuerit, quæ partim ad causas cur fideles sinant liberos suos scholas acatholicas frequentare, partim ad media quibus facilius juvenes e scholis hujusmodi arceri possint, spectabant. Porro responsiones a laudatis Episcopis exaratæ ad Supremam Congregationem Universalis Inquisitionis pro natura argumenti delatæ sunt, et negotio diligenter explorato, FERIA IV. die 30 Junii, 1875, per instructionem sequentem adsolvendum ab Emis. Patribus judicatum est, quam exinde SS. D.

Noster, FERIA IV., die 24 Novembris prædicti anni adprobare ac confirmare dignatus est.

Porro in deliberationem imprimis cadere debebat ipsa juventutis instituendæ ratio scholis hujusmodi propria atque peculiaris. Ea vero S. Congregationi visa est etiam ex se periculi plena ac perquam adversa rei Catholicæ. Alumni enim talium scholarum, cum propria earumdem ratio omnem excludat doctrinam religionis, neque rudimenta Fidei addiscent neque Ecclesiæ instruentur præceptis, atque adeo carebunt cognitione homini quam maxime necessaria, sine qua Christiane non vivitur. Enimvero in ejusmodi scholis juvenes educantur jam inde a prima pueritia, ac propemodum a teneris unguiculis; qua ætate, ut constat, virtutis ac vitii semina tenaciter hærent. Ætas igitur tam flexibilis si absque religione adolescat, sane ingens malum est.

Porro autem in prædictis scholis, utpote sejunctis ab Ecclesiæ auctoritate, indiscriminatim ex omni secta magistri adhibentur, et cæteroquin, ne perniciem afferant juventuti, nulla lege cautum est, ita ut liberum sit errores et vitiorum semina teneris mentibus infundere. Certa item corruptela insuper ex hoc impendit, quod in iisdem scholis aut saltem pluribus earum, utriusque sexus adolescentes, et audiendis lectionibus in idem conclave congregantur, et sedere in eodem scamno masculi juxta feminas jubentur; quæ omnia efficiunt, ut juvenus misere exponatur damno circa Fidem, ac mores periclitentur. Hoc autem periculum perversionis nisi e proximo remotum fiat, tales scholæ tuta conscientia frequentari nequeunt. Id vel ipsa clamat lex naturalis et divina. Id porro claris verbis Summus Pontifex edixit. Friburgensi quondam Archiepiscopo die 14 Julii, 1864, ita scribens: "*Certe quidem ubi in quibuscumque locis regionibusque perniciosissimum hujusmodi vel susciperetur, vel ad exitum perduceretur consilium expellendi a scholis Ecclesiæ auctoritatem, et juvenus misere exponeretur damno circa Fidem, tunc Ecclesia non solum deberet instantissimo studio omnia conari, nullisque curis parcere, ut eadem juvenus necessariam Christianam institutionem, et educationem habeat, verum etiam cogeretur omnes fideles monere, eisque declarare ejusmodi scholas Catholicæ Ecclesiæ adversas hand posse in conscientia frequentari.*" Et hæc quidem utpote fundata jure naturali ac divino, generale quoddam enunciant principium, vimque universalem habent, et ad eas omnes pertinent regiones, ubi perniciosissima hujusmodi juventutis instituendæ ratio infelicitèr invecta fuerit. Oportet igitur ut Præsules Amplissimi, quacunque possint ope atque opera, commissum sibi gregem arceant ab omni contagione scholarum publicarum. Est autem ad hoc, omnium consensu, nil tam necessarium quam ut Catholici ubique locorum proprias sibi scholas habeant, easque publicis scholis hand inferiores. Scholis ergo Catholicis, sive condendis, ubi defuerint, sive amplificandis, et perfectius instruendis parandisque, ut institutione ac disciplina scholas publicas adæquent, omni cura prospiciendum est. Ac

tam sancto exequendo consilio, tamque necessario haud inutiliter adhibebuntur, si Episcopis ita visum fuerit, e Congregationibus Religiosis sodales sive viri sive mulieres; sumptusque tanto operi necessarii ut eo libentius atque abundantius suppedientur a fidelibus, opportuna oblata occasione, sive pastoralibus literis, sive concionibus, sive privatis colloquiis, serio necesse est, ut ipsi commoneant sese officio suo graviter defuturos, nisi omni qua possunt cura impensaue scholis Catholicis provideant. De quo potissimum monendi erunt quotquot inter Catholicos ceteris præstant divitiis ac auctoritate apud populum, quique comitiis ferendis legibus sunt adscripti. Et vero in istis regionibus nulla obstat lex civilis quominus Catholici, ut ipsis visum fuerit, propriis scholis prolem suam ad omnem scientiam ac pictatem erudiant. Est ergo in potestate positum ipsius populi Catholici ut feliciter avertatur clades, quam scholarum illic publicarum institutum rei Catholicæ minatur. Religio autem ac pietas ne a scholis vestris expellantur, id omnes persuadeant sibi plurimum interesse, non singulorum tantum civium ac familiarum verum etiam ipsius florentissimæ Americanæ nationis, quæ tantam de se spem Ecclesiæ dedit.

Cæterum S. Congregatio non ignorat talia interdum rerum esse adjuncta, ut parentes Catholici prolem suam scholis publicis committere in conscientia possint. Id autem non poterunt, nisi ad sic agendum sufficientem causam habeant; ac talis causa sufficiens in casu aliquo particulari utrum adsit necne, id conscientiæ ac iudicio Episcoporum relinquendum erit; et juxta relata tunc ea plerumque aderit, quando vel nulla præsto est schola Catholica, vel quæ suppetit, parum est idonea erudiendis convenienter conditioni suæ congruenterque adolescentibus.

Quæ autem ut scholæ publicæ in conscientia adiri possint, periculum perversionis cum propria ipsarum ratione plus minusve nunquam non conjunctum, opportunis remediis cautionibusque fieri debet ex proximo remotum. Est ergo imprimis videndum utrumne in schola, de qua adeunda quæritur, perversionis periculum sit ejusmodi, quod fieri remotum plane nequeat; velut quoties ibi aut docentur quædam aut aguntur, Catholicæ doctrinæ bonisve moribus contraria, quæque citra animæ detrimentum, neque audiri possunt, neque peragi. Enimvero tale periculum, ut per se patet, omnino vitandum est quocumque damno temporali etiam vitæ.

Debet porro juvenus ut committi scholis publicis in conscientia possit, necessariam Christianam institutionem et educationem saltem extra scholæ tempus rite ac diligenter accipere. Quare parochi et missionarii, memores eorum, quæ providentissime hac de re Concilium Baltimorese constituit, catechesibus diligenter dent operam, iisque explicandis præcipue incumbant veritatibus Fidei ac morum, quæ ab incredulis et heterodoxis impetuntur; totque periculis expositam juventutem impensa cura, qua frequenti sacramentorum usu, qua pietate in Beatam Virginem studeant communire, et ad religionem firmiter tenendam etiam atque etiam excitent. Ipsi vero parentes

quive eorum loco sunt, liberis suis sollicitè invigilent, ac vel ipsi per se, vel, si minus idonei ipsi sint, per alios, de lectionibus auditis eos interrogent, libros iisdem traditos recognoscant, et si quid noxium ibi deprehenderint, antidota præbeant, eosque a familiaritate et consortio condiscipulorum, a quibus Fidei vel morum periculum imminere possit, seu quorum corrupti mores fuerint, omnino arceant atque prohibeant.

Hanc autem necessariam christianam institutionem et educationem liberis suis impertire quotquot parentes negligunt; aut qui frequentare illos sinunt tales scholas, in quibus animarum ruina evitari non potest; aut tandem qui licet schola Catholica in eodem loco idonea sit, apteque instructa et parata, seu quamvis facultatem habeant in alia regione prolem Catholicæ educandi, nihilominus committant eam scholis publicis, sine sufficienti causa ac sine necessariis cautionibus, quibus periculum perversionis e proximo remotum fiat; eos, si contumaces fuerint, absolvi non posse in Sacramento Pœnitentiæ, ex doctrina morali Catholica manifestum est.

FACULTATES QUÆ SACERDOTIBUS IN DIOECESI
CLEVELANDENSI ORDINARIE
CONCEDUNTUR.

1. Celebrandi Missam intra fines Nostræ diœcesis idque per unam horam ante auroram et unam post meridiem sine ministro et præsentibus hæreticis, schismaticis et infidelibus; et etiam si altare sit confractum et sine reliquiis sanctorum, *si aliter celebrari non possit*. Duæ Missæ ab eodem Sacerdote, Dominicis et festivis diebus de præcepto, celebrari non debent sine expressa Episcopi permissione.

2. Benedicendi paramenta et alia utensilia ad sacrificium Missæ necessaria, ubi non intervenit unctio sacra; et reconciliandi ecclesias pollutas aqua ab Episcopo benedicta, et, in casu necessitatis, etiam aqua ab Episcopo non benedicta.

3. Deferendi Sanctissimum Sacramentum occulte ad infirmos sine lumine, illudque sine lumine retinendi pro iisdem infirmis, in loco tamen decenti, si ab hæreticis vel infidelibus sit periculum sacrilegii si in ecclesia custodiatur.

4. Singulis secundis feriis *non impeditis* officio novem lectionum, vel iis impeditis, diē immediate sequenti, celebrandi Missam *de requiem* in quocunque altari, etiam portatili, liberandi animas secundum tuam intentionem a Purgatorii poenis per modum suffragii.

5. Prædicandi verbum Dei et administrandi omnia sacramenta, exceptis Confirmatione et Ordine.

6. Audiendi confessiones fidelium utriusque sexus. Vetitum autem est, *sub pœna nullitatis absolutionis*, mulierum confessiones extra casum necessitatis recipere nisi per crates; et confessiones audientur in loco patenti ecclesiæ, cum superpelliceo et stola.

7. Absolvendi ab omnibus casibus Sedi Apostolicæ reservatis, etiam in Bulla *Cænæ Domini* contentis. Nunquam tamen absolvendi complices in aliquo peccato contra sextum præceptum, neque sacerdotem qui nefandi criminis sollicitationis reus fuerit, vel qui complicem in aliquo peccato contra sextum Decalogi præceptum absolvere attentaverit; et multo minus qui, hoc patrato scelere, Missam ausus fuerit celebrare.

8. Absolvendi ab hæresi et apostasia a fide, et a schismate, quoscunque etiam ecclesiasticos, tam sæculares quam regulares, non tamen eos, qui ex locis fuerint, ubi sanctum Officium exercetur; nisi in locis missionum, in quibus impune grassantur hæreses, deliquerint; nec illos, qui judicialiter abjuraverint, nisi nati sint ubi impune grassantur hæreses; et post judicialem absolutionem illuc reversi in hæresim fuerint relapsi, et hos in foro conscientiæ tantum. Notandum hic est, quod in Baltimorensi Synodo Diœcesana sancitum fuit sequentibus verbis:

"Prohibemus sub pœna suspensionis ab omni exercitio Ordinis, ipso facto incurrendæ, ne quis Sacerdos, sive Sæcularis sive Regu-

laris a Nobis aut Vicario Nostro Generali ad excipiendas confessiones non approbatus, aut cujus approbatio revocata fuerit illi ministerio ingerere se præsumat extra casum necessitatis."

9. Absolvendi et dispensandi in quacunque simonia; et in reali, dimissis beneficiis, et super fructibus male perceptis, injuncta aliqua eleemosyna vel poenitentia salutaris arbitrio dispensantis, vel etiam retentis beneficiis si fuerint parochialia et non sint qui parochiis præfici possunt.

10. Dispensandi in quibuscunque irregularitatibus, exceptis illis quæ proveniunt vel ex bigamia vera, homicidio voluntario, vel ab exercitio ordinis aut jurisdictionis, dum quis ex sententia a Nobis prolata ab illo suspenditur; et etiam in prioribus casibus si præcisa necessitas operariorum fuerit in loco aliquo, modo tamen quoad homicidium voluntarium ex hujusmodi dispensatione scandalum non oriatur.

11. Dispensandi et commutandi vota simplicia in alia bona opera, et dispensandi ex rationabili causa in votis simplicibus castitatis, exceptis iis quæ emittuntur in societatibus religiosis virorum sive mulierum in Nostra diœcesi existentibus.

12. Largiendi ter in anno indulgentiam plenariam contritis confessis, ac sacra Communionem refectis. Item lucrandi tibi easdem indulgentias, concedendi indulgentiam primo conversis ab hæresi, atque etiam fidelibus quibuscunque in articulo mortis, saltem contritis si confiteri non valeant.

13. Dispensandi super impedimento criminis, neutro tamen conjuge machinante, et restituendi jus amissum petendi debitum.

14. Dispensandi in III et IV consanguinitatis et affinitatis gradu simplici et mixto tantum; et in II, III et IV mixtis; non tamen in II solo quoad futura matrimonia: quo vero ad præterita, etiam in II solo, dummodo nullo modo attingat primum gradum, cum his qui ab hæresi vel infidelitate convertuntur ad fidem Catholicam, et in præfatis casibus prolem susceptam declarandi legitimam.*

15. Dispensandi super impedimento honestatis publicæ, justis ex sponsalibus proveniente.

16. Dispensandi in impedimento cognationis spiritualis, præterquam inter levantem et levatum.

17. Dispensandi cum gentilibus et infidelibus plures uxores habentibus, ut post conversionem et baptismum, quam maluerint ex illis, si etiam fidelis fiat, retinere possint, nisi prima voluerit converti.

18. Tres proclamationes bannorum ante Matrimonium præmittendæ sunt; data attamen rationabili causa, super una proclamatione dispensandi tibi facultas conceditur. Si vero agatur de locis in quibus bis tantum vel rarius in mense celebratur Missa, vel de locis in quibus nulla est ecclesia (*stations*) super duabus bannorum proclamationibus dispensare poteris. [*Vide Statuta Diœc.*, 73 et 74.]

19. Tenendi ac legendi, non tamen aliis concedendi, libros hæreticorum vel infidelium de eorum religione tractantes, ad effectum eos impugnandi voce vel scriptis; nullatenus vero libros obscenos.

Vide App. p. 18.

20. Dispensandi, quando expedire videbitur, super esu carniū diebus jejuniū et abstinentiæ.

21. Recitandi Rosarium vel alias preces, si Breviarium tecum deferre, vel Divinum officium ob legitimum impedimentum, recitare non poteris.

22. Recitandi Matutinum cum Laudibus quocumque die per annum hora secunda post meridiem.

23. Benedicendi Cruces, numismata sacra et coronas precatōrias, cum indulgentiis consuetis.

24. Erigendi in locis tuæ parochiæ vel missionis, Stationes Viæ Crucis (nisi in civitate ipsa ubi degunt Patres Franciscæles); et Confraternitates SS. Cordis, Rosarii, Scapularis, aliasque omnes a S. Sede approbatas, cum indulgentiis illis ab eadem S. Sede concessis. [Vide Statuta Diœcesana, 128 et 130.]

INSTRUCTIO S. C. DE PROPAGANDA FIDE SUPER DISPENSATIONIBUS MATRIMONIALIBUS.

Cum dispensatio sit iuris communis relaxatio cum causæ cognitione, ab eo facta, qui habet potestatem, exploratum omnibus est dispensationes ab impedimentis matrimonialibus non esse indulgendas, nisi legitima et gravis causa interveniat. Quin imo facile quisque intelligit, tanto graviorem causam requiri, quanto gravius est impedimentum, quod nuptiis celebrandis opponitur. Verum haud raro ad S. Sedem perveniunt supplices literæ pro impetranda aliqua huiusmodi dispensatione, quæ nulla canonica ratione fulciuntur. Accidit etiam quandoque, ut in huiusmodi supplicationibus ea omittantur, quæ necessario exprimi debent, ne dispensatio nullitatis vitio laboret. Idcirco opportunum visum est in præsentī Instructione paucis perstringere præcipuas illas causas, quæ ad matrimoniales dispensationes obtinendas iuxta canonicas sanctiones, et prudens ecclesiasticæ provisionis arbitrium, pro sufficientibus haberi consueverunt; deinde ea indicare, quæ in ipsa dispensatione petenda exprimere oportet.

Atque ut a causis dispensationum exordium ducatur, operæ pretium erit imprimis animadvertere, unam aliquando causam seorsim acceptam insufficientem esse, sed alteri adiunctam sufficientem existimari; nam quæ non prosunt singula, multa iuvant, *arg. l. 5. C. de probat.* Huiusmodi autem causæ sunt quæ sequuntur:

1. *Angustia loci* sive absoluta sive relativa (ratione tantum Orationis), cum scilicet in loco originis, vel etiam domicilii cognatio fœminæ ita sit propagata ut alium paris conditionis cui nubat invenire nequeat, nisi consanguineum vel affinem, patriam vero deserere sit ei durum.

2. *Aetas fœminæ superadulta*, si scilicet 24^{um} ætatis annum iam egressa hactenus virum paris conditionis, cui nubere, possit, non invenit. Hæc vero causa haud suffragatur viduæ, quæ ad alias nuptias convolare cupiat.

3. *Deficientia aut incompetentia dotis*, si nempe fœmina non habeat actu tantam dotem, ut extraneo æqualis conditionis qui neque consanguineus neque affinis sit, nubere possit in proprio loco, in quo commoratur. Quæ causa magis urget, si mulier penitus indotata existat, et consanguineus vel affinis eam in uxorem ducere, aut etiam convenienter ex integro dotare paratus sit.

4. *Lites super successione bonorum iam exortæ*, vel earundem grave aut imminens periculum. Si mulier gravem litem super successione bonorum magni momenti sustineat, neque adest alius, qui litem huiusmodi in se suscipiat, propriisque expensis prosequatur, præter illum qui ipsam in uxorem ducere cupit, dispensatio concedi solet; interest enim Reipublicæ, ut lites extinguantur. Huic proxime accedit alia causa, scilicet *Dos litibus involuta*, cum nimirum mulier alio est destituta viro, cuius ope bona sua recuperare valeat. Verum huiusmodi causa nonnisi pro remotioribus gradibus sufficit.

5. *Paupertas viduæ* quæ numerosa prole sit onerata et vir eam alere polliceatur. Sed quandoque remedio dispensationis succurritur viduæ ea tantum de causa, quod iunior sit, atque in periculo incontinentiæ versetur.

6. *Bonum pacis*, quo nomine veniunt nedum fœdera inter regna, et principes, sed etiam extinctio gravium inimicitiarum, rixarum, et odiorum civilium. Hæc causa adducitur vel ad extinguendas graves inimicitias, quæ inter contrahentium consanguineos vel affines ortæ sint, quæque matrimonii celebratione omnino componerentur vel quando inter contrahentium consanguineos et affines inimicitiae graves viguerint, et, licet pax inter ipsos inita iam sit, celebratio tamen matrimonii ad ipsius pacis confirmationem maxime conducet.

7. *Nimia, suspecta, periculosa familiaritas*, nec non *cohabitatio* sub eodem tecto, quæ facile impediri non possit.

8. *Copula* cum consanguinea vel affine vel alia persona impedimento laborente præhabita, et *Præstantia, ideoque legitimatio prolis*, ut nempe consulatur bono prolis ipsius, et honori mulieris, quæ secus innupta maneret. Hæc profecto una est ex urgentioribus causis, ob quam etiam plebeis dari solet dispensatio, dummodo copula patrata non fuerit sub spe facilioris dispensationis: quæ circumstantia in supplicatione foret exprimenda.

9. *Infamia mulieris*, ex suspitione orta, quod illa suo consanguineo aut affini nimis familiaris, cognita sit ab eodem, licet suspicio sit falsa, cum nempe nisi matrimonium contrahatur, mulier graviter diffamata, vel innupta remaneret, vel disparis conditionis viro nubere deberet, aut gravia damna orirentur.

10. *Revalidatio matrimonii*, quod bona fide et publice, servata Tridentini forma. contractum est: quia eius dissolutio vix fieri potest sine publico scandalo, et gravi damno, præsertim fœminæ, c. 7 de consanguin. At si mala fide sponsi nuptias inierunt, gratiam dispensationis minime merentur, sic disponente Conc. Trid. Sess. XXIV. cap. V. de Reform. matrim.

11. *Periculum matrimonii mixti, vel coram acatholico ministro celebrandi*. Quando periculum adest, quod volentes matrimonium in aliquo etiam ex maioribus gradibus contrahere, ex denegatione dispensationis ad Ministrum acatholicum accedant pro nuptiis celebrandis sprete Ecclesiæ auctoritate, iusta invenitur dispensandi causa, quia adest non modo gravissimum fidelium scandalum, sed etiam timor perversionis, et defectionis a fide taliter agentium, et matrimonii impedimenta contemnentium, maxime in regionibus ubi hæreses impune grassantur. Id docuit hæc S. Congregatio in instructione die 17 Apr. 1820 ad Archiepiscopum Quebecensem data. Pariter cum Vicarius Apostolicus Bosnia postulasset, utrum dispensationem elargiri posset iis Catholicis, qui nullum aliud prætexunt motivum, quam vesanum amorem, et simul prævidetur, dispensatione denegata, eos coram iudice infideli coniugium fore inituros, S. Congregatio S. Officii in Fer. IV 14 Aug. 1822 decrevit: "respondendum Oratori, quoad in exposito casu utatur facultatibus sibi in Form. II. commissis, prout in Domino expedire iudicaverit." Tantundem dicendum de periculo, quod pars catholica cum acatholico Matrimonium celebrare audeat.

12. *Periculum incestuosi concubinatus*. Ex superius memorata instructione an. 1822 elucet, dispensationis remedium, ne quis in concubinato insordescat cum publico scandalo, atque evidenti æternæ salutis discrimine, adhibendum esse.

13. *Periculum matrimonii civilis*. Ex dictis consequitur, probabile periculum quod illi qui dispensationem petunt, ea non obtenta, matrimonium dumtaxat civile, ut aiunt, celebraturi sint, esse legitimam dispensandi causam.

14. *Remotio gravium scandalorum*.

15. *Cessatio publici concubinatus*.

16. *Excellentia meritorum*, cum aliquis aut contra fidei catholicæ hostes dimicatione aut liberalitate erga Ecclesiam, aut doctrina, virtute, aliove modo de Religione sit optime meritus.

Hæc sunt communiores, potioresque causæ, quæ ad matrimoniales dispensationes impetrandas adduci solent; de quibus copiose agunt theologi, ac sacrorum canonum interpretes. (1)

Sed iam se convertit Instructio ad ea, quæ præter causas in literis supplicibus per dispensationem obtinenda, de jure vel consuetudine, aut stylo Curiae exprimenda sunt, ita ut si etiam ignoranter taceatur veritas, aut narretur falsitas, dispensatio nulla efficiatur. Hæc autem sunt:

1. *Nomen et cognomen* Oratorum, utrumque distincte, ac nitide ac sine ulla literarum abbreviatione scribendum.

1) Inter ceteros consulendi Pyrrhus Corradus—*Praxis dispensationum Apostolicarum*—Lib. VII. et VIII.; ac Vincentius De Iustis—*De dispensationibus matrimonialibus*—Lib. III.

2. *Diæcesis originis vel actualis domicilii*. Quando Oratores habent domicilium extra diæcesim originis, possunt, si velint, petere, ut dispensatio mittatur ad Ordinarium diæcesis, in qua nunc habitant.

3. *Species etiam infima impedimenti*, an sit consanguinitas, vel affinitas, orta ex copula licita vel illicita; publica honestas originem ducens ex sponsalibus, vel matrimonio rato; in impedimento criminis, utrum provenierit ex coniugicidio cum promissione matrimonii, aut ex coniugicidio cum adulterio, vel ex solo adulterio cum promissione matrimonii; in cognatione spiritali, utrum sit inter levantem et levatum, vel inter levantem et levati parentem.

4. *Gradus Consanguinitatis, vel affinitatis*, aut honestatis ex matrimonio rato, et an sit simplex, vel mixtus, non tantum remotior, sed etiam propinquior, uti et linea, an sit recta vel transversa; item an Oratores sint coniuncti ex duplici vinculo consanguinitatis, tam ex parte patris, quam ex parte matris.

5. *Numerus impedimentorum*, e. g. si adsit duplex aut multiplex consanguinitas vel affinitas, vel si præter cognationem adsit etiam affinitas, aut aliud quodcumque impedimentum sive dirimens, sive impediens.

6. *Varia circumstantiæ*, scilicet an matrimonium sit contrahendum, vel contractum; si iam contractum, aperiri debet, an bona fide, saltem ex parte unius, vel cum scientia impedimenti; item an præmissis denuntiationibus et iuxta formam Tridentini; vel an spe facilius dispensationem obtinendi; demum an sit consummatum, si mala fide, saltem unius partis, seu cum scientia impedimenti.

7. *Copula incestuosa* habita inter sponsores ante dispensationis executionem, sive ante, sive post eius impetrationem, sive intentione facilius dispensationem obtinendi, sive etiam seclusa tali intentione, et sive copula publice nota sit, sive etiam occulta. Si hæc reticeantur, subreptitias esse et nullibi ac nullo modo valere dispensationes super quibuscumque gradibus prohibitis consanguinitatis, affinitatis, cognationis spiritalis, et legalis, nec non et publicæ honestatis declaravit S. Congregatio S. Officii fer. IV. 1 Augusti 1866. In petenda vero dispensatione super impedimento affinitatis primi vel secundi gradus lineæ collateralis, si impedimentum nedum ex matrimonio consummato cum defuncto coniuge Oratoris vel Oratricis, sed etiam ex copulo antematrimoniali seu fornicaria cum eodem defuncto ante initum cum ipso matrimonio patrata oriatur, necesse non est, ut mentio fiat huiusmodi illicitæ copulæ, quemadmodum patet ex responso S. Penitentiariæ diei 20 Martii 1842, probante s. m. Greg. XVI ad Episcopum Namurcensem, quod generale esse, idem Tribunal literis diei 10 Decembris 1874 edixit.

Hæc præ oculis habere debent non modo qui ad S. Sedem pro obtinenda aliqua matrimoniali dispensatione recurrunt, sed etiam qui ex pontificia delegatione dispensare per se ipsi valent, ut facultatibus, quibus pollent, rite, ut par est, utantur.

Datum ex Aedibus S. C. de Prop. Fide die 9 Maii 1877.

DIRECTIONS RELATIVE TO THE FORTY HOURS' DEVOTION.

To prevent diversity of practice in conducting the Forty Hours' Devotion, the Rt. Rev. Bishop directs: 1st. That the ceremonies as prescribed by the Baltimore Ceremonial be strictly followed; 2nd. That preaching be dispensed with; 3rd. That instead of preaching in the evening, appropriate and carefully selected prayers be recited, together with a short meditation on the Blessed Sacrament; 4th. Where preaching is found of imperative necessity, let the instruction be confined exclusively to the Blessed Sacrament, the nature and benefits to be derived from the devotion of the Forty Hours, and the mode of assisting in silent adoration at the public exposition of our Lord upon the altar.

The devotion is intended to be one of prayer and silent adoration and communion with God, and is not intended to be an occasion for preaching, as is seen by the *Clementine Instruction* on the manner of conducting the Forty Hours.

The attention of the clergy is respectfully directed to Diocesan Statute No. 261 forbidding change of time unless by explicit permission of the Bishop or Ordinary.

By order of the Rt. Rev. Bishop.

G. F. HOUCK, Chancellor.

May 3, 1883.

CHANCERY TAX.

CLEVELAND, O., January 10, 1884.

REV. DEAR SIR:

At the late Synod the annual sum of \$500 was voted to meet the current expenses of the Chancery office for postage, printing, &c., but no provision was made for its payment. There were also added two other items for the payment of which no additional assessment was made. Now, the Diocesan Fund can not meet the above, together with the support of the Seminary, Bishop, Secretary, and payment for building Episcopal Residence, and I am not willing to increase the present assessment.

Under these circumstances there remains but to meet the chancery expenses from the *taxa cancellaria*. I am the more willing to do this as Rome has already consented; besides it is common custom. I therefore direct that from date of this circular the sum of \$5 will be paid by applicants for dispensation from two or more publications of banns, *this sum to be sent with each application*. If the dispensation is not granted the money sent will be returned. Dispensation from publication of banns will not be granted till the above sum is paid. Dispensations easily granted are easily asked. They should be made difficult to get and they will be less easily asked.

The poor are free, on the testimony of pastors that applicants for dispensations are unable to pay.

Yours truly in Our Lord,

✠R. GILMOUR,
Bishop of Cleveland.

CLEVELAND, O., December 20th, 1892.

Rev. Dear Sir:

Notice is hereby given that, according to the Instruction of the Holy See, and beginning with the year 1893, an alms of Five dollars will be required for any dispensation which may be granted for the celebration of the sacrament of matrimony, except where the parties themselves declare they are too poor to pay the alms.

The alms must be sent with the application for dispensation.

In cases of the first and second degree of affinity, and of the second and third degree of consanguinity, a special alms will be required.

In cases of *mixta religionis*, and *disparitatis cultus*, the Catholic party should be informed of this law.

Whatever balance may be over after defraying the expenses of the chancery office, will be distributed amongst the charities of the diocese.

Yours truly in Christ,

✠IGNATIUS FREDERICK,
Bishop of Cleveland.

G. F. HOUCK, Chancellor.

DIRECTIONS RELATIVE TO OFFICIAL LETTERS.

1. All letters enclosed in envelopes addressed to the Rt. Rev. Bishop are considered *personal*, and are therefore opened only by himself. When such letters are received here during his absence they are laid aside to await his return.

2. Letters addressed to the Rt. Rev. Bishop should not have the word "official" on envelope.

3. Letters of application for dispensations, permissions, etc., should be addressed to the Rt. Rev. Bishop, and enclosed in an envelope addressed to the Chancellor—the envelope to be marked "official," so as to distinguish from *personal* letters. Letters thus addressed will receive prompt attention.

4. For proper filing of letters there should be a *separate* letter for each subject or application, although two or more letters may be enclosed in the same envelope.—See Statutes 84 and 254.

DIRECTIONS FOR DIOCESAN AND INFIRM PRIESTS' FUNDS REMITTANCES.

Remittances must be made either by draft, money order, or express (charges prepaid). For money in registered letters the government is not responsible. Postal notes, being payable to bearer, are still less secure. Personal checks, except drawn on Cleveland banks, will not be accepted.

No. _____

AGREEMENT.

To be signed by all non-Catholic applicants for dispensation to contract marriage with members of the Catholic Church.

I, the undersigned, not a member of the Catholic church, wishing to contract marriage with _____ a member of the Catholic church, propose to do so with the understanding that the marriage bond thus contracted is indissoluble, except by death; and I promise on my word of honor, that _____ shall be permitted the free exercise of religion according to _____ belief, and that all children, of either sex, born of this marriage, shall be baptized and educated in the faith and according to the teachings of the Roman Catholic Church. I furthermore promise that no other marriage ceremony than that by the Catholic priest shall take place.

SIGNED IN THE PRESENCE OF

this _____ day of _____ 19____

"DE PROFUNDIS BELL."

CLEVELAND, O., December 20th, 1892.

Rev. Dear Sir:

Wherever I have given Confirmation since my coming to the Diocese of Cleveland, I have recommended to the clergy and laity the pious and Catholic custom of praying for the poor souls in Purgatory, by introducing the ringing of the *De Profundis* bell each evening, either immediately after the Angelus Bell, or at seven P. M.

The bell is tolled ten times, with a short interval between each stroke. The faithful should recite the psalm: "*Out of the depths have I cried unto Thee, O Lord,*" or three *Our Fathers* and three *Hail Marys*, with the versicle and response: "*Eternal rest grant them, O Lord; and may perpetual light shine upon them. Amen.*"

I wish to see this devotion introduced into every parish in the diocese, and therefore earnestly recommend that you explain it to your flock, and ask them to practice it; also to have the *De Profundis* bell rung each evening, should your church possess a bell.

Wishing you and your faithful people every blessing, I remain sincerely,

Your servant in Christ,

✠IGNATIUS FREDERICK,

Bishop of Cleveland.

WITHDRAWAL OF FACULTY. 14.

CLEVELAND, O., December 20th, 1893.

Rev. Dear Sir:

From and after January 1st, 1894, the Faculty granted you under number 14 in your list of Faculties, and as mentioned on page 14* (No. 14) in the Appendix to Diocesan Statutes, will be withdrawn.

Applications for dispensations in cases coming under said Faculty will therefore be made in the usual manner, from and after January 1st prox.

Please note withdrawal on margin of said list of Faculties, and Appendix to Diocesan Statutes, as above.

Yours very truly in Xt.,

✠IGNATIUS FREDERICK,

Bishop of Cleveland.

FAC. DIÆC. 14. "Dispensandi in III et IV consanguinitatis et affinitatis gradu simplici et mixto tantum; et in II, III et IV mixtis, non tamen in II solo quoad futura matrimonia: quod vero ad præterita, etiam in II solo, dummodo nullo modo attingat primum gradum, cum his qui ab hæresi vel infidelitate convertuntur ad fidem Catholicam, et in præfatis casibus prolem susceptam declarandi legitimam."

PROHIBITION OF SUNDAY FUNERALS.

To the Rev. Rectors and Pastors in the Diocese of Cleveland:

From and after January 1, 1898, Sunday funerals will be prohibited in the diocese of Cleveland, except in case of extreme necessity, to which fact the priest issuing the burial permit will certify by letter to the sexton, or superintendent, of the cemetery in which interment is to be made. If by reason of death from contagious disease it is necessary to permit an interment on Sunday, only a hearse, or wagon, and not more than three carriages, or other vehicles, will be allowed to enter the cemetery.

The reverend rectors and pastors, as also those having immediate charge of Catholic cemeteries, will be governed by the above regulation in regard to burial permits and funerals.

By order of the Rt. Rev. Bishop,

G. F. HOUCK, Chancellor.

Cleveland, O., December 23, 1897.

To the Reverend Clergy of the Diocese of Cleveland:

An instruction has been sent by the Cardinal Prefect of Propaganda to all the Bishops of the United States. We quote from it the following passages:

"Dicitur etiam, quibusdam in locis, in casibus urgentioribus haberi praxim considerandi tamquam obtentam dispensationem, cuius libellus supplex iam fuerit projectus in arcam postalem.

"Fertur insuper saepe non recte applicari principium, vi cuius baptismus dubius habendus est ut validus in ordine ad validitatem matrimonii. Contingit enim sacerdotem, cui incumbit inquirere utrum pars acatholica fuerit baptizata necne, totam suam inquisitionem limitare interrogationi factæ parti acatholicæ, utrum ipsa fuerit baptizata. Si hæc respondit affirmative, nullo requisito documento aut probatione, habetur ut baptizata et petita tantum dispensatione ab impedimento mixtæ religionis, celebrantur nuptiæ. Unde fit plura matrimonia sic contracta esse irrita propter impedimentum disparitatis cultus, quia pars acatholica non fuit baptizata, licet id affirmaverit."

As the above is of grave importance, the reverend clergy are hereby directed to see that the regulations made by His Eminence be faithfully observed. Their attention is also respectfully called to the "Instructio S. C. De Propaganda Fide, super dispensationibus," issued by said S. Congregation on May 9, 1877. It will be found in the Appendix to the Diocesan Statutes, page 11.

✠IGN. F. HORSTMANN,
Bishop of Cleveland.

Cleveland, O., December 26, 1901.

PROHIBITIO OBLATORUM OCCASIONE CONFESSIONIS SACRAMENTALIS.

CLEVELAND, O., d. 15 Junii, 1903.

Reverende Domine:

Hisce diebus denuntiatus est Nobis abusus de quo, facta investigatione, didicimus, maximo cum dolore, quod in pluribus hujus Diocesis parochiis viget consuetudo recipiendi, imo et aliquando exigendi, a fidelibus oblata ante factam confessionem hoc pacto ut, soluta quadam summa denarii, schedula seu "ticket" istis traditur Confessario exhibenda antequam confessionem sacramentalem instituere valeant.

Jamvero, ad extirpandam, et de medio penitus tollendam, hujusmodi consuetudinem quomodocunque peractam, præcipimus omnes Nostræ ditionis Confessarios, sub pæna suspensionis ipso facto incurrenda:

I. Ut neque per seipsos, neque per alios quoscunque, sub quocunque prætextu, recipiant oblata ex fidelibus occasione vel intuitu Confessionis sacramentalis, vel ut tradant aut permittant ut alii quicunque tradant schedulas, quocunque pretio appretiatas aut

emptas, quæ admittant fideles ad confessionem instituendam, aut ad quæcunque alia sacramenta recipienda.

II. Ut recipiant et absolvant—dummodo aliter sint dispositi—omnes ad confessionem accedentes etiamsi nullam schedulam exhibeant aut nullam pecuniam solvant vel tradant in hunc finem, et ut hanc agendi rationem quamprimum manifestent in cœtu fidelium per publicam proclamationem.

✠IGN. F. HORSTMANN,
Episcopus Clevelandensis.

De mandato Rev^{mi} Episcopi Clevelandensis.

G. F. HOUCK, *Cancellarius.*

FORM OF RECORD OF FUNDED MASSES.

MISSÆ FUNDATÆ.

"Die—Mensis—, Anno—, N. N. Missam Anniversariam fundavit. Missa vero pro N. N. defuncto (vel ad aliam intentionem) singulis annis die— (vel festo S. N. N., vel infra octavam ejusdem festi) cantanda (vel dicenda) est usque— (definiatur duratio Foundationis juxta normam in Statutis Diocesanis præscriptam.)

Pro Missæ ejusdem fundatione soluta sunt—scutata. Attamen obligatio Missam supradictam cantandi (vel dicendi) perdurat quousque tantum existat vel ædificium, vel ecclesia S.—pro qua fundatio facta est, vel quousque redditus ejusdem fundationis sufficient."

For each Funded Mass two copies of the above Form of Record will be made, viz.: one to be transcribed into a book, to be known as the "Liber Missarum Fundatarum," the other to be kept in the Diocesan Archives. Both copies of the Record must be signed by the Pastor and forwarded to the Chancellor for the Bishop's signature.

On an adjoining page the following form will be entered, and the date and name of the priest saying the Mass subscribed as below directed, viz.:

MISSÆ FUNDATÆ IN ECCLESIA S.—CELEBRANDÆ.

PRO N. N., JUXTA CONTRACTUM, PAGINA— HUIUS LIBRI RELATUM:

Die—, mensis—, 18—, Missa celebrata est pro N. N. ab N. N. sacerdote.

SALARY OF RECTORS, PASTORS AND CURATES.

CLEVELAND, O., February 21, 1905.

To the Rev. Rectors, Pastors and Curates in the Diocese of Cleveland:—

DEAR REV. FATHERS:

After due consultation we hereby proclaim the following statutes, enacted by us, extra synodum, as laws in the diocese of Cleveland, to be hereafter incorporated in the Diocesan Statutes:—

1. From and after January 1st, 1905, the salaries of rectors and

pastors shall be determined by the number of paying families (*) reported by each in the biennial census of his parish, or parish and missions. The census returns when made and after having been approved by the Board of Census Revision, duly authorized by the Bishop, shall determine the salary, and it shall remain so fixed until the next regular census, i. e., for the period of two years.

2. Rectors and Pastors shall receive salaries in accordance with the following scale:—

a) The salary of pastors of congregations of less than one hundred paying families shall be \$800 per annum. In case one mission or more is attached to a parish, the number of paying families will be the aggregate of parish and mission combined.

b) The salary of pastors in congregations of not less than one hundred paying families, and not more than two hundred and fifty, shall be \$900 per annum.

c) The salary of rectors or pastors in congregations of over two hundred and fifty paying families shall be \$1000 per annum.

3. The salary of curates shall be \$500 per annum, together with their board, lodging, laundry, and furnished apartments.

4. The jura stolæ (perquisites) or offerings, on the occasion of baptisms and marriages, shall belong to the rector or pastor, to help defray the expenses of the parish house.

5. The rector or pastor shall have full and sole control of the domestic economy of the parish house, and he shall provide suitable accommodation and give proper support to his curate or curates.

6. For the maintenance of the house, rectors or pastors are allowed \$300 per annum for each curate assigned to the parish, said amount to be taken from the parish funds.

7. The stipend for a solemn High Mass shall be \$25.00, of which sum the celebrant, deacon and sub-deacon shall receive \$5.00 each.

8. The celebrant of a Requiem High Mass shall receive \$2.00 as his share of the stipend, which, by diocesan statute 101 is \$5.00.

9. Diocesan Statute 184, relative to salary of pastors and curates, is hereby abrogated.

✠IGNATIUS F. HORSTMANN,

Bishop of Cleveland.

RULES GOVERNING PICNICS, ETC.

To prevent and guard against abuses in connection with church and society picnics, excursions, festivals, etc., the following regulations are prescribed:

1st. Societies that are organized for beneficial purposes, and whose benefits are confined to their own members, or societies that are organized for private ends and interests, cannot be permitted to appeal to the public by picnics, excursions, festivals, suppers, lectures, etc., to raise funds for their own private use and benefit. Public appeals must be for public charities, and societies cannot be permit-

*) A paying family is one that contributes not less than \$4.00 a year to the support of the Church. (Sec Diocesan Statute 210.)

ted to appeal to the public, except where the moneys so raised are to be used for, and in the interest of, some public charity.

2nd. All kinds of round dancing, night dancing, dancing in halls or ball-rooms, for the purpose of raising money for church purposes or public charities, are strictly and unqualifiedly forbidden.

3rd. The sale of wine, beer, or any other kind of intoxicating liquors at church picnics, excursions, festivals, suppers, etc., is strictly forbidden, and will not be permitted under any excuse or pretense whatsoever.

4th. Moonlight excursions, picnics continued till after nightfall, meetings of the people where morals or good behavior are endangered, are also strictly forbidden.

5th. Before any picnic or excursion, whether for church or society purposes, can be held, the written permission of the Bishop or Ordinary must be obtained.

FORM OF BURIAL LOT CERTIFICATE.

ST. ——— ROMAN CATHOLIC CEMETERY,

———, ——— County, Ohio.

CERTIFICATE OF OWNERSHIP OF BURIAL LOT:

(NOT TRANSFERABLE)

The Pastor of St. ——— church, ———, ——— County, Ohio, ex-officio Manager of St. ——— Cemetery, ———, ——— County, Ohio, authorized by the Rt. Rev. Bishop of Cleveland, hereby certifies that ——— has paid the sum of ———¹⁰⁰ Dollars; and in consideration thereof, the said ———, h—— heirs and assigns, are entitled to the perpetual use of Burial lot No. ——— (description of lot to be given according to location, etc.) in St. ——— Cemetery, for the purpose of sepulture only; subject, however, to the laws and regulations of said Cemetery, the discipline of the Roman Catholic Church, and the rules of the diocese of Cleveland with respect to burials and funerals.

And the said ——— in accepting this certificate, binds h——self and heirs to comply with these conditions, and failing to do so, agrees to forfeit h—— right to bury in said lot, and to recovery of money paid for the same.

IN TESTIMONY WHEREOF, the said Manager of St. ——— Roman Catholic Cemetery, ———, ——— County, Ohio, has signed and sealed these presents, this ——— day of ——— in the year of our Lord, one thousand nine hundred and ———

——— Manager.

Certificate No. ———

FORM OF RECEIPT FOR BURIAL LOT CERTIFICATE.

ST. _____ ROMAN CATHOLIC CEMETERY.

No. _____, _____ County, Ohio _____ 19____

The undersigned, in accepting a Certificate of Ownership of Burial Lot No. _____, (describe lot,) in St. _____ Roman Catholic Cemetery, _____, _____ County, Ohio, agrees for h—self and heirs, to abide by the Conditions of said Certificate.

IN TESTIMONY WHEREOF, witness _____ signature.

Witness.

(Signed) _____

FORM OF CHURCH NOTE.

\$ _____, _____ County, Ohio _____ 19____

_____ after date, for value received for

St. _____ church, _____, _____ County, Ohio, we
promise to pay to the order of _____

_____ Dollars, with inter-
est at _____ per cent.

Bishop of Cleveland.

Pastor.

Councilmen.

MANNER OF FILLING IN THE "CONDITION CLAUSE" IN MORTGAGE DEEDS.

AS DIRECTED IN STATUTE 200.

The Condition of this Deed is such, that whereas the said [Insert name of Bishop] with [Insert names of Pastor and Councilmen] have executed and delivered to the said [Insert name of Grantee.]

[Describe note as to amount, date and when payable.]

Now if the said [Insert names of Bishop, Pastor and Councilmen.] their heirs, assigns, executors or administrators shall well and truly pay the aforesaid [Insert number of notes,] according to the tenor thereof, to the said [Insert name of Grantee,] heirs and assigns then the above Deed shall be void; otherwise the same shall remain in full force and virtue in law.

N. B. As the title to church property vests in the Bishop, he is the grantor of mortgages; and hence he alone signs the same as such.

FORM OF APPLICATION FOR PERMISSION TO EXPEND OR BORROW MONEY.

_____, Ohio, _____ 19____

To the Rt. Rev. Bishop of Cleveland:

In accordance with diocesan statute 198, application is hereby made for permission to _____ the sum of _____ dollars, for the benefit of St. _____ Church, _____ O., viz. (here insert purpose of expenditure or loan.)

Respectfully submitted,

Pastor.

Councilmen.

FORM FOR INVENTORY OF CHURCH GOODS, HOUSE FURNITURE, ETC.

TO BE FILLED AND SIGNED BY THE PASTOR AS DIRECTED IN STATUTE 220.

CHURCH GOODS.

1. No. of sets of vestments and color thereof.....
2. No. of copes.....; velums.....; sets of dalmatics.....;
3. Corporals.....; purificators.....; sets of altar linen.....;
4. Chalices [gold or silver]....; ciborium.....; ostensoriums.....;
5. Missals;
6. Miscellaneous [to be specified].....

HOUSE FURNITURE.

1. Beds and bedding.....; tables.....; chairs.....;
2. Miscellaneous furniture [to be specified].....

I, the undersigned, hereby certify the above to be a correct Inventory of all the church goods and house furniture belonging to St. congregation, Ohio, and in use at the time of my leaving said congregation.
Dated.....19....

Signed.....Pastor

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